

MINUTES OF THE 228th MEETING OF GENERAL HOUSE OF THE MUNICIPAL CORPORATION CHANDIGARH HELD ON 29.02.2016 AT 11.00 A.M. IN THE ASSEMBLY HALL OF THE CORPORATION.

The following were present:

Sarv/Sh./Smt:-

1.	Arun Sood	Mayor
2.	Rajiv Gupta, PCS	Acting Commissioner
3.	Sh. Davesh Moudgil	Sr. Deputy Mayor
4.	Hardeep Singh	Deputy Mayor
5.	Anoop Sunny Gill	Councillor
6.	Prof. Aruna Goel	Councillor
7.	Dr. Amrit Tewari	Councillor
8.	Babu Lal, IAS (Retd.)	Councillor
9.	Maj. D.S. Sandhu (Retd.)	Councillor
10.	M.P. Kohli	Councillor
11.	Dr. Shagufta Parveen	Councillor
12.	Surinder Bahga	Councillor
13.	Saurabh Joshi	Councillor
14.	Pardeep Chhabra	Councillor
15.	Asha Kumari Jaswal	Councillor
16.	Heera Negi	Councillor
17.	Poonam Sharma	Councillor
18.	Rajesh Kumar Gupta	Councillor
19.	Sheela Devi	Councillor
20.	Darshan Kumar	Councillor
21.	Harjinder Kaur	Councillor
22.	Harphool Chander Kalyan	Councillor
23.	Satinder Singh	Councillor
24.	Satish Kumar	Councillor
25.	Subhash Chawla	Councillor

26.	Jannat Jahan Ul Haq	Councillor
27.	Rajinder Kaur	Councillor
28.	Des Raj Gupta	Councillor
29.	Virender Chaudhary, HCS	Secretary

The following Officers also attended the meeting: -

Sarv/Sh./Smt.:-

1.	Mukesh Anand	Chief Engineer
2.	N.P. Sharma	S.E. (B&R)
4.	P.S. Bhatti	M.O.H.
5.	Uma Shankar Sharma	C.A.O.
6.	P.K. Aggarwal	XEN (Roads-I)
7.	Jai Pal Singh	XEN (Roads-II)
8.	Arjeet Singh	XEN (Roads-III)
9.	Harish Saini	XEN (P.H. Div. No.II)
10.	B.K. Dhawan	XEN (P.H. Div No-III)
11.	Gulshan Kumar	XEN (P.H. Div. No.IV)
12.	Krishan Pal Singh	XEN (Horticulture)
13.	Dr. M.S. Kamboj	Supdt. Slaughter House

AGENDA ITEM NO. 228.1

Confirmation of the 227th & Special meeting of the General House held on 29.01.2016 & 12.02.2016 at 11.00 a.m. respectively in the Assembly Hall of the M.C., Chandigarh.

The Secretary placed agenda item No.1 for consideration.

Sh. Satish Kainth invited the attention of the House towards his statement at page No.6 of the minutes of 227th meeting of the General House held on 29.01.2016. He said that only single line had been written regarding the withdrawal of his nomination. He asserted that his full version should be inserted in the minutes i.e. **he had expressed that as per the commitment of the Mayor and the Councillors of BJP with the**

Nominated Councillors, two nominated Councillors would be made the member of the F&CC. Now the time for the election of the members of F&CC, therefore, he will withdraw his nomination in favour of the Nominated Councillors.

Sh. Subhash Chawla said that at page No.5 of the minutes of 227th meeting of the General House held on 29.01.2016, it had been mentioned that there was din in the House on the reply of the Mayor and nothing has been inserted regarding our debate. He demanded that our version should be inserted in the minutes of the meeting as per recording in C.D., which is as under :-

“On the reply of Mayor that under Regulation No.2, the date of Nomination was extended. He objected that the interpretation was wrong and vide Regulation No.2, the date of the meeting could be extended not for the last date of filing of nomination papers. He further asked the interpretation of Regulation No.58.5. He further said that he had no objection regarding election of 4 or 5 members, but he should be apprised under which rule/regulation the date of nomination could be extended. He assured for full co-operation from the members of the Congress Party. He further explained that the discussions were held on telephone with the Mayor regarding the members from nominated councillors, BJP & Congress to avoid the election of members of F&CC. He further told as per the directions of the party, he filled his nomination on dated 18.1.2016 at 4.30 p.m. on behalf of the congress party. He further said that it would have been better if he would have been apprised that the date of nomination and meeting was being extended. He further said that if their intention would have been wrong, they could file more than one nomination paper on that day, but as per commitment he filled only one nomination.

He further said that his name should be at the top of the ballot paper as he had submitted nomination first of all. When the vote of Smt. Asha Jaswal transferred to the next candidate, he had highly objected the procedure being followed for transfer of vote.

Major D.S.Sandhu (Retd.) said that although the recording had been done as per his statement, yet the execution was not being done on the suggestions/resolutions passed by the F&CC & House. He insisted that the decisions of the F&CC & House should be implemented meticulously.

Sh. Subhash Chawla invited the attention of the House towards page No.3 of the minutes of Special meeting held on 12.2.2016 and demanded that the wording "there was a heated exchange between Sh. Davesh Moudgil & Sh. Pardeep Chhabra on the issue of election" should be deleted from the minutes.

The House unanimously agreed that this be deleted from the minutes.

Sh. Pardeep Chhabra invited the attention of the House towards page No.18 of the minutes of Special meeting held on 12.2.2016 regarding the statement of Smt. Shagufta Parveen. He further said that nothing wrong was done by the members of Congress Party. She should apprise the House what was the wrong done during the last four years.

The Mayor said that nothing was un-parliamentary in the statement of Smt. Shagufta Parveen. Moreover, she was not present in the House now.

Sh. Subhash Chawla said that it had already been decided that nothing would be stated in the absence of a member. He further said that Smt. Shagufta Parveen criticized the working of the members of Congress Party in their absence and it was the responsibility of the Mayor to intervene and stop her to give any statement against the members of congress party in their absence.

Sh. Pardeep Chhabra invited the attention of the House towards Page No.17 of the minutes of Special meeting held on 12.2.2016 regarding the statement of Sh. M.P.Kohli. He further said that walk out from the House was their democratic right and this act was not the misbehaviour.

Sh. M.P.Kohli said that nominated councillors always paid the respect to the members of Congress Party. He further said that on the request of Sh. Sat Paul Bansal, Sh. Subhash Chawla had said that they would withdraw the nomination of one

member in favour of the nominated councillor and sought the time of 15 minutes from the House. Instead of this, they did not withdraw the nomination of any member and insisted for the election.

The members of Congress party sat in the well of the House under protest and recorded their dissent for confirmation of the minutes.

Sh. M.P. Kohli withdrew the wording of “misbehaviour” from his statement.

“The House confirmed the minutes of 227th & Special meeting of the General House held on 29.01.2016 & 12.02.2016 at 11.00 a.m. respectively, in the Assembly Hall of the M.C., Chandigarh with majority, with the above mentioned amendments.”

AGENDA ITEM NO. 228.2

Question/Answer

Question raised by Sh. Satish Kumar Kainth, Councillor, Municipal Corporation, Chandigarh regarding Uppal Housing Project Pocket No.2 & 3, Commercial Property belonging to MCC at Manimajra.

The Secretary placed agenda item No.2 for consideration.

Sh. Satish Kainth thanked the Mayor and the officers who had brought the reply of his question in the House. He further said that some of the members of the House were not the councillors when the land was allotted to this society. He explained in detail the process of allotment of land to the Uppal Group Housing Society, Manimajra, U.T. Chandigarh. He emphasized that the land was auctioned subject to the condition that the houses of employees of M.C. and 15% EWS would be constructed. He further said that the reply of the question is not complete. He further said that a piece of land measuring about 5.50 acre approximately was sold amounting to Rs. 108.00 crore. He has collected the information through RTI from Chandigarh Administration & Corporation beside the reply of the question. He further said that after the completion of five years, it came to the notice that no EWS houses had been constructed by the society. He further

said that a committee was constituted to examine all the aspects of the case and the said committee had to submit its report. The committee submitted its report which is enclosed with the agenda. He further apprised the House that the Uppal Housing Society requested the Corporation/Administration for the issuance of completion certificate. He further said that reply of the question at Sr. No.1 is correct. So far as the reply of the question No.2 is concerned, the information is not available in the file. He further told that 8 companies participated in the open auction. The detail of the bid/token number is enclosed at Annexure-II. He further said that in the end, only two companies participated in the auction i.e. token No.1 & No.9. From the perusal of the record, token No.9 was the highest bidder i.e. Rs. 1,08,01,00,000/- (Rupees one hundred eight crore one lac only) in favour of M/s Uppal Housing Society, whereas there is no information regarding token No.1. He further read out the contents of Q.No.3. he further read out the contents of reply of said question vide which SDO (Building) for Estate Office issued occupation certificate and 25 EWS houses had been constructed i.e. equal to 15% of total number of dwelling units whereas even single EWS had not been constructed there. He further said that the 25 EWS houses were converted into 2-3-4 bedroom flats and sold them to other people and the Corporation was misled stating that the 25 flats for EWS had been constructed. He further read out the contents of question No.4 alongwith the contents of reply. He further apprised that as per the minutes of agenda item No.1 placed at page No.18 of the agenda, 15% houses for EWS & large piece of land was to be marked for employees of M.C. including deputationists, who had served for atleast three years. He further apprised that even after the elapse of 11 years no land had been provided for the houses of M.C. employees whereas it was the right of the employees of M.C. He alleged that the of the employees of the Corporation had been deprived from their legitimate right. He demanded that the Corporation should provide the land for the houses of the employees. He further highlighted the reply of question No.6 and told that NOC was being issued by the Corporation and accepting the transfer fee in lieu of the

sale of flats. He further said that still the NOC are being issued by the Corporation without the completion of the project, whereas the minor violation is highly objected in the villages & colonies. He further said that the right of the poor people had been deprived off. He asserted that the Corporation should stop the issuance of NOC. He further read out the contents of Q.No.12 alongwith the reply i.e. the revised building plan was approved by the Chief Architect/SDO Office U.T. Chandigarh. He further said that when he obtained the information from the Administration through RTI, the reply of the Administration was that no extension for the construction of EWS houses was granted to the society. He further said that the matter came in the House in the year, 2011 and a committee under the chairmanship of Joint Commissioner was constituted to visit the site and submit its report. The committee visited there, but no report had been submitted in the House so far. Only one report from SDO (Building) was received. He further said that when he brought the matter to the notice of Adviser, he wrote a letter to the CMC and asked the latest status of this episode. After that the Corporation asked the Uppal Housing Society regarding the latest status of construction of EWS flats but no reply was given by the society so far. He further said that a committee had been reconstituted consisting of similar officers & officials to examine the matter and report. He insisted that he should be included as a member of the said committee to bring the facts in the light.

Sh. Davesh Moudgil said that the law would prevail according to the provisions and nobody would be spared if found guilty. He further apprised the House that a committee was constituted under the Chairmanship of the then Joint Commissioner Sh. Kamlesh Kumar, HCS, but it was not sure whether the report of that committee was placed in the House or not. He further said that the House was not aware of the facts which were brought by Sh. Satish Kainth. He further said that when the land was allotted to the Uppal Housing Society, 15% EWS houses were to be constructed and the houses for the employees of M.C. were also to be constructed, but

nothing was done in both the matter. He requested for free & fair debate in the House on this issue. He further insisted that whole of the record from the beginning till date be provided to all the members of the Corporation, so that debate could be done after going through the record.

Smt. Harjinder Kaur said that the construction of 25% EWS was the mandatory concept of all the group housing societies. She further said that inspite of blunder nothing was done against the housing society. She asserted that the record pertaining to the Uppal Housing Society should be summoned.

Sh. Subhash Chawla appreciated the efforts of Sh. Satish Kainth and admitted that apprehensions were there for some wrongs. He further said that Uppal Housing was not a society. When the land was allotted to this firm, the Corporation was facing the financial crisis. The Corporation requested the Administration either the grant may be provided or the permission for the sale of property may be given. He further clarified that he was not Mayor at that time. He further said that first of all this agenda was brought in the F&CC and he was the member of F&CC at that time and the committee was apprised that the Administration had given permission for the sale of property instead of grant. He further apprised the House that the Administration had transferred two properties to the Corporation i.e. site of J.W. Marriot Hotel, Sector-35 & site of Uppal Housing Society Manimajra. He further told that there was no Uppal Housing Society, it was a private builder, the name of Uppal Housing Society was given lateron. He further apprised the House that the matter was discussed with the leaders of the employees and they were apprised that their case for registration of group housing society had been sent to the Administration as and when the permission from the Administration would be obtained, a piece of land would be provided for the construction of employees houses. The tenders were invited through the newspapers for open auction of this prime land. He further said that the F&CC fixed Rs. 63.00 crore reserve

price of auction of this land. Ultimately, this project was brought in the House and the Mayor proposed that the modern housing complex was being constructed therefore, the provision of EWS houses should also be kept in the project. After the full debate of the House, it was decided that 15% houses would be constructed for EWS and the price of the said houses would be fixed by the Corporation not by the builder/society. In view of the reduction of 15% land from the project, it came to notice that Rs. 63.00 crore reserve price was much higher. The House with majority fixed Rs. 43.00 crore reserve price for auction. It was not the decision of any individual, it was the decision of the House. He further said that he was one of the observers and the auction of this land was held in Shivalik Hotel. All the senior officers of the Corporation and the media persons were also present there. He further said that the highest bid was Rs. 108,01,00,000/- crore against the reserve price of Rs. 43.00 crore. He further said that the same persons raised the objection of EWS houses who had approved the EWS houses and after the debate in the House it was decided that the inquiry should be given to the vigilance. He further said that being the General Secretary of the party, he raised the issue that the flats of the society were being sold rapidly and suggested that we should restrict the sale of the flats till the construction of EWS houses. He further said that this was the project of the Corporation and its approval & planning should also have been prepared by the Corporation but the society managed everything from the Estate Office. The SDO (Building) Estate Office, granted two years extension to the society. He further said that the report of the Committee had come that the EWS had not been constructed. He further said that it reveals from the extension granted by the SDO (Building) there was somewhere corruption in the matter and during the period of extension, the company/society sold rest of the flats. He further said that the report of the vigilance inquiry had come and the recommendations also had been made against the action of the officers. He further said that the constitution of a new committee would be the futile

exercise because inquiry had already been conducted by the vigilance & CBI also and findings of the inquiry had come.

The Joint Commissioner-I (Acting Commissioner) apprised the House that from the perusal of the record, it reveals that the auction of the land was held on 6.12.2005 and two conditions were inserted in the allotment i.e. zoning would be done by the Chief Architect, U.T. Chandigarh and the condition of construction of 15% EWS houses was also inserted by the Chief Architect, U.T. Chandigarh at the time of zoning. 2nd condition was that the buildings plans would be approved by the Chief Administrator, U.T. Chandigarh and the occupation certificate would be issued by the SDO (Building) U.T. Chandigarh on behalf of the Chief Administrator, U.T. Chandigarh. He further said that the five years extension period was granted for the completion of project. He further said that the SDO (Building) issued an occupation certificate that the EWS houses had been constructed there. When the matter came in the House, a committee was constituted to look into the matter and according to the report of the committee, no EWS house had been constructed there. He further said that a show cause notice was issued to the company from the Estate Officer of the Corporation before resuming the property and as per record it was dropped. Keeping in view that, the Chief Architect granted extension to the company/society for five years i.e. upto 5.12.2015 for the revised building plan and the SDO (Building) also extended the date for five years for obtaining the occupation certificate. During this period, the company/society represented to the Chief Architect to grant permission for construction of additional tower for EWS houses, because the present dwellers were not in favour of the EWS houses within their premises. The society sought the permission from the Corporation also for the construction of additional tower during the period of the then Commissioner M.C. Smt. Bhawna Garg. After deliberation, a letter was written to the Chief Architect that no change would be allowed in the original allotment letter and the case of the society

should be decided on the basis of original terms & conditions of allotment letter. Finally the Chief Architect had rejected their revised building plan. He further said that inspite of repeated reminders to the SDO (Building), whether or not the EWS houses had been constructed, no reply had been received from the SDO (Building) office so far. When no reply was received from the SDO (Building), U.T. Chandigarh, then the Municipal Corporation wrote to the D.C. Chandigarh being Estate Officer to intervene the matter and direct the SDO (Building) to give the status of the occupation certificate but no reply was received from the Deputy Commissioner also, therefore, a new committee was constituted by the Corporation to ascertain the actual status regarding occupation certificate, so that the show cause notice could be issued for any violation of terms & conditions. So far as the issuance of NOC & transfer of flats are concerned, no NOC are being issued and no flat was being transferred now. He further said that who had obtained the NOC & whom property was transferred earlier, the vigilance had been conducting the inquiry in this regard. He further said that the whole of the record of the office pertaining to the Uppal Housing Society had been seized by the vigilance department, as and when the report would come, the same would be brought in the House.

Sh. Satish Kainth asked where is the extension letter. He further said that the resumption of flats would be the futile exercise because the buyers had purchased the houses and there would be no gain to the people of EWS. He demanded that the penalty should be imposed on the society for this lapse and suggested that the society should be pressed to convert the vacant flats in EWS houses. He further read out the contents of the resolution passed in the 46th (adjourned) meeting held on 21.6.2001 placed at page No.18 of the agenda. He further said that the resolution was changed lateron.

Sh. Satinder Singh suggested that proper inquiry should be conducted by an independent agency. He further said that the sentiments of the House should be sent to the SLG to get conduct an independent CBI inquiry to bring the real facts. He alleged that big fishes were involved in this scandal. He further said that the House does not believe in the inquiry of vigilance. He further said that if the inquiry had already been conducted by the CBI, where was the report. He said that the case could be registered against the society under Section 406, 420 of the Criminal Procedure Code.

The Mayor apprised the House that the inquiry was conducted by the CBI and submitted to the Administration. Thereafter, the Administration had marked the vigilance inquiry on the basis of inquiry of the CBI.

Sh. Subhash Chawla said that the CBI had already conducted the inquiry and the names of the officers also have been mentioned in the report to register the FIR against the said officers. He further said when the CBI had conducted the inquiry, then the inquiry by the vigilance would be meaningless. He further said that the company had deceived the Corporation and had earned heavily by constructing 20 flats in place of EWS houses. He further said that the company had sold the flats and had gone, the resumption of flats would be the loss to the buyers and it would be the futile exercise without gain to the EWS.

Sh. Davesh Moudgil said that the inquiry report of the CBI and the report of the inquiry conducted by the committee headed by Sh. Kamlesh Kumar should be brought in the House.

The Joint Commissioner-I apprised that he had come to know that the CBI inquiry had been got conducted but the inquiry report of the CBI was never received in the Corporation. The correspondence in this regard is between the CBI & Administration.

Sh. Surinder Bahga said that when 95% building has been constructed according to the approved plan, then penalty can be imposed on the builder, but in the present case, there are multiple major lapses.

Sh. Saurabh Joshi said that whereas the CBI had conducted the inquiry, vigilance also had conducted the inquiry, why the report had not been handed over to the Corporation so far. He suggested for the criminal proceedings against the company due to the breach of trust, then the cat will come out of the bag. He further said that the matter had been lingering on since long time and the House should resolve today for action against the company.

The Mayor suggested that a committee consisting of councillors & officers headed by the Commissioner should be constituted for further strategy in this matter and the recommendations of the committee would be brought in the next meeting of the House.

Sh. Subhash Chawla said that it was very much clear that 15% EWS houses had not been constructed, inquiry had been conducted by the CBI. He suggested that the report of the CBI should be brought in the House and the action be taken against the officers as per recommendations of the CBI in the inquiry. He said that no further inquiry is required in the matter, everything is clear.

***“The House considered & resolved that the Administration be apprised with the resolution that criminal proceedings be initiated against the officers, whose name had been recommended in the findings of CBI inquiry.*”**

Further it was also resolved that the penalty, if any under rules, be recovered from the company/society.”

The House was adjourned for tea break at 1.00 p.m. and reassembled at 1.30 p.m.

AGENDA ITEM NO. 228.3**Regarding parking of Sector 17, Chandigarh.**

The Secretary placed agenda item No.3 for consideration.

Sh. Surinder Bahga said that according to the rule, 25 sq.mtr. area was required for the parking of a car. He further said that the parking in Sector-17 is required for 15400 cars. He further said that the Administration should take cognizance that due to shortage of parking, the public had been facing the inconvenience. He further said that according to national building code, 50 sq.mtr. area was required for the parking of a car. He further apprised the House that 6400 cars come daily in Sector-17. Hence 1300 more sites require for parking of cars in Sector-17. He further said that the Corporation had constructed under ground multi level parking in Sector-17 incurring Rs.40.00 crore approximately whereas if the automatic parking system would have been introduced, an amount of Rs. 20.00 crore was to be incurred for the parking of same numbers of cars. He emphasized for introducing automatic parking system like Calcutta. He further said that underground parking were not safe for elders & women. He further said he had identified four parking sites in Sector-17 i.e. two front side & two back side of Neelam Cinema. He suggested for double decker parking of these sites. He further suggested the site adjoining the K.C. Cinema, which would cater parking problem of bank squares. He further apprised the House that there were six taxi stands in Sector-17, having at least 40 cars each, therefore, approximately 240 cars remain standing for 24 hours in prime area of Sector-17. He suggested for changing the location of the taxi stands for convenience to the public. He suggested for the parking with green paver blocks behind the Udyog Bhawan Punjab & Income Tax Building alongwith the dividing road of Sector-17 & 18 which had a stretch of approx. 1200 sq.mtr. He suggested for automatic model should be adopted for the city. He further highlighted the lack of public participation for

the smart city. He stressed that this matter should be brought in the co-ordination committee for approval.

Smt. Asha Jaswal appreciated the efforts of Sh. Surinder Bahga and seconded the proposal.

Sh. Satish Kainth said that atleast 30-40 cars remain standing every time at the taxi stand in front of Azad Hind Store whereas the permission had been granted for the parking of 10 cars. He suggested that we may request the Chief Architect to relocate this taxi stands somewhere else. He appreciated the efforts of Sh. Surinder Bahga.

Sh. Saurabh Joshi said that Ola Cabs & Uber Cabs had been using the parking space un-authorizedly. The tax should be imposed upon them.

Smt. Heera Negi said that the buses of private schools are being parked on the road berms which damages the paver blocks. She suggested that the notices to be served to the school authorities to park their vehicles within the premises of schools & the violators should be penalized.

Sh. Satish Kainth apprised the House that in Industrial Area Phase-I adjoining to Plot No.13, there is vacant land of M.C. and he had suggested to convert the said land into parking.

The Joint Commissioner-I welcomed the delegation of Bulgaria consisting of H.E. Mr. Petko Doykov, Ambassador to India, Mr. Peter Paunov, Mayor of City Kyustendil, Mr. Vassil Karaivanov, Economic Adviser to Mayor, Mr. M. Neeraj Kumar, President, FDBID, Mr. G.B. Singh, Regional Head FICCI, Mr. Jasbir Nischel & Mr. Shivdev Singh on behalf of Corporation and introduced the members of the delegation. He further apprised the delegation that there are 26 elected members & 09 nominated members of the House and the House normally meets once in a month but in

exigencies more than one meeting can be held. He further apprised the delegation regarding the functioning of the Corporation.

Thereafter the members of the House introduced themselves to the delegation.

Thereafter, the House adjourned for lunch break at 2.20 p.m. and reassembled at 3.40 p.m.

Sh. Subhash Chawla said that beside the parking problem of Sector-17, there was the same problem in other sectors also. He apprised the House as per news published in the newspapers, 10.00 lacs vehicle are there at the population of 11.00 lacs, it is an alarming condition. He further said that V-6 roads are so much congested due to the parking of vehicles on road sides, an ambulance cannot cross easily. He further requested Sh. Surinder Bahga that the figures of whole of the city should be taken into account & suggest accordingly. He further highlighted the directions of the Hon'ble High Court rendered in a case of Punjab in which the Chandigarh was also included. According to the said judgement, the M.C. took some steps/guidelines regarding Sector-17, Chandigarh. According to the said judgement, Sector-17 was to be made vehicle free zone. A committee in this regard was constituted to find out the way. The committee recommended that congestion tax should be imposed on the entry of vehicles in Sector-17. An Agenda was brought in this regard in the House, but the same was opposed by the House. He further said that Sh. Surinder Bahga had not apprised the House about the cost of this project, whether it would be paid parking or run by the private companies. He further asked whether the budget provision has been made for these double decker parkings. He suggested that a project should be prepared for whole of the city where there the residents are facing the problem of parking. He further apprised the House that the paid parking was levied in the year, 1998 with the orders of Hon'ble High Court. He further said that none was in favour of the paid parking.

Sh. Pardeep Chhabra said that a multi level parking is ready in Sector-17 and other parking behind Sh. Sahib Singh was under arbitration and the award has been announced in favour of the contractor and now the case is pending in the Hon'ble High Court. He asserted that the quick decision should be taken for the construction of this parking to avoid the inflation. He further told that the shops would be constructed on that parking which would be used as commercial complex. He further said that under ground parking should also be utilized.

Sh. Darshan Garg said that the facilities of parking should be provided in the villages & colonies.

Sh. Davesh Moudgil suggested that the neighbourhood parks should be converted into paid parking in southern sectors to avoid the sitting of bad elements. He further said that the Corporation should do immediately whatever can be done by the Corporation at its own level.

The Mayor said that the Corporation could not change the master plan and green belt could not be converted into parking without prior approval of the Chief Architect, U.T. Chandigarh.

Sh. Des Raj said that in view of the problem of the residents of Bank Colony & Subhash Nagar, Manimajra, the temporary parkings had been identified there till the permanent parking is provided by the Administration, but there is no space for parking in the bazaar. He demanded to provide the parking in the main bazaar, & Mansa Devi Road, Manimjara.

The Mayor said that a committee regarding Sector-17 had been constituted by the Administration, therefore, the suggestions/recommendations as discussed in the House may be sent to the said committee for consideration.

AGENDA ITEM NO. 228.4**Installation of Low Power Transformers on Street Light poles regarding.**

The Secretary placed agenda item No.4 for consideration.

The Chief Engineer apprised the House that M/s Reliance Jio Infocom Ltd. had come out with an innovative low power mobile coverage known as Micro Cell Solution to overcome the coverage gap due to less number of normal sites and challenges due to 2300 HZ band allotted to them for 4G services. Under this scheme, a small electronic unit with its accessories shall be installed on the existing and new electricity poles. He further said that the equipment would be installed on 4 or 5 poles from one round about to other round abouts @ Rs. 500/- per pole per month with annual increase of rent by 5% & that will improve the connectivity of the city. He further said that through the mode of switch channel, we published this proposal in the newspapers. He further told in response to that advertisement M/s Airtel approached the Corporation to hire only 50 poles @ Rs. 1000/- per pole per month with 5% annual increase. He further apprised the House that M/s Reliance had demanded 500 street poles @ Rs. 500/- per pole per month with annual increase of 5%.

The Mayor asked about the Lotus type pole had been erected in the city and who has been charging the rent from the companies in lieu of these poles.

The Chief Engineer told that these towers had been erected under the tower policy framed by the Administration. The permission is granted by the Estate Office. An amount of Rs. 5.00 lac per pole per annum is being paid by the company to Corporation.

Sh. Surinder Bahga said that according to the tower/mobile services policy, these towers/poles should be erected in the open area and not near the habitation area. The respective company will submit the emission certificate and there are some parameter regarding the weight & height on which the equipment would be installed. He

further said that the said equipment could be shared by the other companies also. He further said that the network of the Reliance is not functional in Chandigarh, whereas it has been requesting for 500 poles.

The Chief Engineer said that the Corporation had no function with the tower policy, it totally relates to the Estate Office. The rent of per tower is being deposited in the Corporation but the present agenda is different to the said policy.

The Mayor said that towers were to be erected on the land of M.C. , the Administration can frame the policy whereas the rent/charges should be decided by the Municipal Corporation itself. He asked about the role of the Estate Office in this matter.

Sh. Davesh Moudgil suggested that once again the tenders/applications should be invited from other companies also. He apprehended that more fee could be offered by any company in view of the revolution in the mobile technology.

The Mayor apprised the House that the same agenda was brought in the last meeting of F&CC and after deliberation, it was decided that this agenda should be brought in the meeting of the House. He further told that he had come to know from reliable sources that the material had been brought by the company whom the 500 poles are to be rented out, whereas the final approval had not been given by the Corporation. He further said that the company is sure for obtaining the permission. He further suggested that the Corporation should fix the rent of the 18000 poles and it should be free for all the companies to hire the quantum of poles on the fixed rates. He further said that the Corporation would be handicapped after renting out the 500 poles to M/s Reliance @ Rs.500/- per pole per month. He further asked how many times this swiss challenge had been adopted by the Corporation. He suggested that the Corporation should write to all the mobile companies to give their options regarding fee for hiring the electric poles. He further said that the agenda is totally silent the pole of which site is to

be rented out. He suggested that a committee of the Councillors should be constituted in this regard and at least two members should be included from the each party.

Sh. Subhash Chawla said that no member from Congress party should be included in this committee.

The Chief Engineer said that this was being adopted first time in the Corporation.

The S.E.(B&R) apprised the House that it was a good offer from M/s Reliance and switch challenge is the approved method by the CVC. He further said that the PSPCL Punjab had been charging rent of Rs. 180/- per pole per annum.

Sh. Satish Kainth apprehended that these poles might be subletted to other companies on hire rate later on.

The House deferred the agenda.

Sh. Pardeep Chhabra apprised the House that the Plan Head budget for the Chandigarh had been announced by the Centre Govt. i.e. Rs.700/-.

There was a din in the House on this issue.

AGENDA ITEM NO. 228.5

Report of Surat Conference.

The Secretary placed agenda item No.5 for consideration.

Sh. Surinder Bahga said that he and Dr. P.S. Bhatti, MOH attended the 4th International Conference on Sustainable Municipal Solid Waste Processing Technologies for developing nations on 18th -19th February, 2016. He further apprised the House that the Ministry of Environment had chalked out a manual, which was mandatory to follow for all the Municipal Corporations and that manual would be circulated within one month among all the Commissioners of the Corporations. He

further read out the contents of a lecture of Sh. Gurudatta Tendulkar from Pune. He further said that he had worked for the land filling of Dadu Majra and the major part of the work was done according to his recommendations in the year, 2002. He further told that all the record pertaining to the said project including drawings had been lost during this period. We requested him to visit Chandigarh again. He had done 80% work of the project and his fees was also pending with the Corporation. He suggested to engage him as Consultant for this project to continue the work. He further said that the experts from America also appreciated the work of Sh. Tendulkar. He further said that it was the conclusion of the conference that if it would be implemented, it would be in the interest of city. He further apprised the House that so far emanating of smell from the dumping ground is concerned, a radio type instrument is installed there which will measure the quantum of foul smell. He further said that a separate system had been introduced for the plastic waste in Surat. He further apprised the House that according to the survey report of Pollution Control Committee 8.25 tonne plastic waste was generated in Chandigarh per day. He further said that the Surat Municipal Corporation had opened a research centre within its building. He further said that the Corporation had deployed two three employees to collect all kinds of data, who would give the suggestions and recommendations. He further said that the machines were being manufactured there to segregate the garbage. He further said according to the recommendations of the conference, the garbage should be decentralized by installing the small machines in SSKs for treating the garbage.

Sh. Subhash Chawla appreciated the suggestions/recommendations of Sh. Surinder Bahga and approved on behalf of the party as these were in the interest of the city.

The Joint Commissioner-I apprised the House that the Jay Pee Associate had submitted a letter vide which it had written that the plant had been running in loss

and they are constrained to stop it. He further read out the contents of the letter that if the Corporation does not assist the plant in the shape of tipping fee, they would be constrained to shut down the garbage processing plant on 31st March, 2016.

Sh. Subhash Chawla said that according to the provisions of the MOU, the Corporation had a right to backlist the firm. Therefore, the J.P. Associates can not go beyond the MOU, otherwise the associates would have to suffer a huge loss. He further apprised the House that according to the MOU 350 tonne fuel would be carried to the Dadla Ghat Project but the firm had not been fulfilling the terms & conditions of the agreement. He further said that the firm was at fault and inspite of that threatening to the Corporation.

The Mayor said that the action would be taken against the J.P. Associates according to the provisions of MOU. He further said that its technology was totally out dated and we would have to find out the some other alternate.

“The House considered & approved the suggestions/recommendations of Surat Conference.”

AGENDA ITEM NO. 228.6

Disposal of 40 booths under New Over Bridge, Sector 17, Chandigarh.

The Secretary placed agenda item No.6 for consideration.

Sh. Des Raj Gupta suggested that the case should be referred again to the Administration for obtaining the permission for the sale of these booths on free hold basis.

Sh. Davesh Moudgil said that the sale of property had been fixed @ Rs. 65000/- per sq.yds. in Chandigarh on free hold basis. He suggested that the matter be re-examined again in view of the recession in the property.

***“The House considered & resolved that disposal off 40 booths under New Over Bridge, Sector-17, Chandigarh, be leased out for 99 years through open auction for general trades as per rates mentioned in Annexure ‘A’ which may be taken as reserve price rounded to next higher thousand and on amended terms & conditions (copy enclosed).*”**

AGENDA ITEM NO. 228.7

Contract for the supply of 96 workers of various categories of Group C & D.

The Secretary placed agenda item No.7 for consideration.

The Joint Commissioner-I apprised the House that the work for the supply of 96 workers of various categories of Group C&D was allotted to M/s Malwa Engineering Works on e-tendering @ Rs. 0.99 % administrative charges for one year extendable upto three years. He further said that the term of the contract is going to expire on 15.4.2016. he further said that the agenda had been brought in the House either the extension should be granted for another one year or fresh tender be floated through e-tendering process.

“The House considered & extended contract for one year i.e. upto 15.4.2017 to M/s Malwa Engineering Works, for the supply of 96 workers of various categories of Group C & D.”

AGENDA ITEM NO. 228.8

Hiring of 20 No. of Tractor-trolleys.

The Secretary placed agenda item No.8 for consideration.

Sh. Satish Kainth said that when Sanitation Committee was constituted under the Chairmanship of Sh. Darshan Garg consisting of Sh. M.P.Kohli, Satish Kainth & others. The Committee found that the tarpaulin had not been laid on the tractor trolleys having garbage. He further said that the committee decided to visit Delhi &

Noida to find out the alternate of tractor trolleys. He further told that the committee found no replacement of tractor trolleys but they observed there that the hydraulic covers were installed on the trolleys. He suggested for the same system. He further said that they saw there refuse compactors. He further apprised the House that although the compactors had been purchased by the Chandigarh Corporation yet only one compactor was functional out of four. The committee visited M/s TPS Infrastructure Ltd. Bhiwadi, Rajasthan and inspected all the Municipal Solid Waste vehicles there. He further said that after watching demonstration, three refuse compactor & Ride on Road Sweeping Machines found suitable for the proper management of municipal solid waste for Chandigarh & e-tenders should be floated for the purchase of these vehicles. He further said that road sweeping dulo machines had been working very well but it could not reach at every point/place. He said that they saw small sweeping machines there. He suggested for the purchase of 2-3 small road sweeping machines.

The Mayor said that news had been published in the newspaper that the tour had been performed for Bhiwadi, Rajasthan for the purchase of Ride on Sweeping Machine Model 3-D only to give the benefit to the said firm. He further asked the members whether we should perform such tours or not?

Sh. Subhash Chawla said that we should not rely upon the news published in the newspapers. He further apprised the House that when the team was to go to Noida, there was no programme to visit the Bhiwadi, Rajasthan. He further said that if the matter for visiting the Bhiwadi was discussed already, he would have apprised the Committee for the better companies at Bhiwadi, which manufacture the sweeping machines. He admitted his statement given to the media person.

The Mayor said that we should not discourage/let down the our colleagues who did best efforts for the betterment of the Corporation.

Sh. Satish Kainth said that as per recommendations/suggestion of Sh. Subhash Chawla, the committee visited Noida and after reaching there they came to know that there was no corporation.

Sh. M.P.Kohli said that when they reached at Noida, he telephonically informed Sh. Subhash Chawla that there was no Corporation in Noida, thereafter, they visited Bhiwadi and informed Sh. Chawla but he did not tell that there were four other manufacturing companies also. If he would have told us, then the committee would have visit other companies also.

Sh. H.C. Kalyan said that although he was the member of the Sanitation Committee, yet he was not informed regarding the visit.

Sh. Darshan Garg said that the award had been given to the M.C. Chandigarh under Swachha Bharat Abhiyan due to sanitation . He further suggested that the Chairman of the concerned sub committee should be involved for the occasion of award etc.

The Mayor apprised the House that by name invitations for the Mayor, Commissioner and Joint Commissioner were sent by the authority for the award under Swachch Bharat Abhiyan.

“The House considered & unanimously approved extension for hiring of 20 No. Tractor Trolleys already deployed for lifting of solid waste in the municipal area of Chandigarh till 30.4.2016 or finalization of tender, whichever is earlier.”

AGENDA ITEM NO. 228.9

Request for Extension of contract of Animal Birth Control Programme in Stray Dogs.

The Secretary placed agenda item No.9 for consideration.

The Joint Commissioner-I apprised the House that the contract for sterilization of dogs was given to the SPCA UDGIR which had sterilized 5000 dogs till now. He further apprised that it was condition of the contract that the SPCA would sterilized 450 dogs per month but such number of dogs would not be available for sterilization.

Sh. M.S. Kamboj, Supdt. Slaughter House informed that such number of dogs would not be available for sterilization now as large number of dogs had already been sterilized. He suggested that the condition of 300 dogs should be inserted.

Sh. Saurabh Joshi suggested after the sterilization of 100% dogs of Chandigarh and then the drive should be started for sterilization of dogs in surrounding villages. He further suggested that the sterilized dogs should be tagged with a badge bearing the name of sector.

The Joint Commissioner-I apprised the House when the sterilization drive was started, forehead of the sterilized dog was painted, 2ndly V-knotch was done on the ear and a ribbon was tied around the neck but the Animal Welfare organization resisted that the colour had a quantity of lead and dogs rub their heads with the walls and due to that rashes occur on their heads. Further the organization objected that the ribbon can hook anywhere which might harm the dog. Therefore, these two practice were stopped. Now only the knotch is done on the ear.

Major D.S. Sandhu (Retd.) said that he used to visit the SPCA Centre, Sector-38 once in a month. He appreciated the functioning of SPCA Udgir. He further said that the total number of dogs had not been sterilized yet. He further suggested to identify the dogs sector-wise.

“The House noted that the SPCA Udgir is performing the work of sterilization in an effective manner. The House considered & resolved that the contract of SPCA, UDGIR (Maharashtra) be extended for one year i.e. from 1.04.2016 to 31.03.2017 at the existing rate. It was further decided that since around 5000 stray dogs have been sterilized during the current year, the condition to sterilize not less than 450 dogs per month be modified to minimum 300 dogs per month.”

AGENDA ITEM NO. 228.10

Cremation ground near Housing Board Light Point, Mani Majra.

The Secretary placed agenda item No.10 for consideration.

Sh.Des Raj Gupta said that an agenda was brought earlier in the House for the upgradation/renovation of cremation ground near Housing Board Light Point, Manimajra. He suggested that the cremation ground of Manimajra should be undertaken by the Corporation. He further said that this cremation ground had a small piece of land and it was extended by the management upto some extent but the same was demolished by the officers of the Corporation without informing the area Councillor or the Commissioner. He insisted that the management of this cremation ground should be taken by the Corporation itself for its beautification & extension etc. He further apprised the House that the dead bodies from the surrounding areas come there.

The Mayor said that the cremation ground of Manimajra exist prior to the inception of NAC. He further said that the land of cremation ground was the property of M.C. Chandigarh. He further said that as every councillor of Manimajra insisted for the regularization of land of cremation ground with extension, therefore, the land of the cremation ground should be earmarked.

Sh. Subhash Chawla apprised the House that earlier the cremation ground was near Mansa Devi Road, Manimajra and the land of present cremation ground was earmarked for the bus stand and 2.5 acre land was earmarked for cremation ground by

the Administration in village Kishangarh. After that the residents of the area insisted that this cremation ground should not be shifted from there and since then it had been running continuously. He further said that the Corporation should ascertain whether the land earmarked for bus stand had been transferred to the Corporation or Administration has cancelled the land earmarked in Kishangarh village.

“The House considered & resolved that the Municipal Corporation’s land used as cremation ground of Manimajra be regularized as cremation ground and further extension of land for storage of wood for cremation also approved.

Further it was also resolved that the planning of drawings of the cremation ground be obtained from the Department of Urban Planning U.T., Chandigarh.”

AGENDA ITEM NO. 228.11

Rough cost estimate for Renovation/Special repair in Slaughter House in Indl. Area, Phase-I, Chandigarh.

The Secretary placed agenda item No.11 for consideration.

“The House considered & resolved that the rough cost estimate amounting to Rs.52.53 lac for renovation /special repair in Slaughter House in Indl. Area, Phase-I, Chandigarh, be and is hereby approved.”

AGENDA ITEM NO. 228.12

Rough cost estimate for P/F 30.5mm Indian National Flag with high mast pole at Japanese Garden, Sector 31-C & D, Pocket, Chandigarh.

The Secretary placed agenda item No.12 for consideration.

Sh. Pardeep Chhabra said that beside the Indian National Flag at Japanese Garden, an Indian National Flag should be installed in Sector-17 Plaza with same height, where the tourists visit and international visitors also come there.

The Mayor said that Indian National Flag with high mast pole had been fixed in 63 cities of the country and only one national flag in each city had been erected. He further appreciated the efforts of Sh. Davesh Moudgil. He further said that only one

national flag would be installed in the city, therefore, the House should approve the agenda which is under consideration.

Sh. Subhash Chawla said that the condition of only one flag in the city should not be imposed.

“The House considered & resolved that the rough cost estimate amounting to Rs.17.00 lac for P/F 30.5mm Indian National Flag with high mast pole at Japanese Garden, Sector 31-C & D, Pocket, Chandigarh, be and is hereby approved.”

AGENDA ITEM NO. 228.13

Providing LED Lighting on Cycle Track from Junction 27 to Purv Marg (Udyog Path), Chandigarh.

The Secretary placed agenda item No.13 for consideration.

Sh. Surinder Bahga said that in the last meeting, he had suggested that the cycle tracks should be constructed with concrete instead of paver blocks, therefore all the cycle tracks should be concretized.

“The House considered & resolved that the rough cost estimate amounting to Rs.59.22 lac for providing LED Lighting on Cycle Track from Junction 27 to Purv Marg (Udyog Path), Chandigarh, be and is hereby approved.”

AGENDA ITEM NO. 228.14

Widening and carpeting of V-6 road in Sector 16-A, B, C & D, Chandigarh.

The Secretary placed agenda item No.14 for consideration.

“The House considered & resolved that the rough cost estimate amounting to Rs.82.09 lac for widening and carpeting of V-6 road in Sector 16-A, B, C & D, Chandigarh, be and is hereby approved.”

AGENDA ITEM NO. 228.15

Widening and carpeting of V-5 road in Sector 16-A, B, C & D, Chandigarh.

The Secretary placed agenda item No.15 for consideration.

“The House considered & resolved that the rough cost estimate amounting to Rs.99.65 lac for widening and carpeting of V-5 road in Sector 16-A, B, C & D, Chandigarh, be and is hereby approved.”

AGENDA ITEM NO. 228.16

Rough cost estimate for re-carpeting of V-6 roads in Sector 15-C & D, Chandigarh.

The Secretary placed agenda item No.16 for consideration.

“The House considered & resolved that the rough cost estimate amounting to Rs.104.85 lac for re-carpeting of V-6 roads in Sector 15-C & D, Chandigarh, be and is hereby approved.”

SUPPLEMENTARY AGENDA ITEM NO. 228.1

Construction of 17 No. Public Toilet Blocks in Green Belts in various Sectors of Chandigarh.

The Secretary placed supplementary agenda item No.1 for consideration.

Sh. Surinder Bahga said that the copies of the previous agenda had been copy pasted in the present agenda, no change had been done.

Sh. Babu Lal said that he submitted an application for construction of a toilet block in Shivalik Garden, Manimajra, but the same had not been included in the list of public toilet blocks.

The Mayor told that the Manimajra falls under the jurisdiction of other Executive Engineer, therefore, the list of toilet blocks from that concerned Xen. would come in the next meeting.

Sh. Subhash Chawla said that when the Chandigarh did not come in the list of smart cities, he asked the reasons and he read the figures of the person for using open defecation i.e. 3000. He was surprised to read that news because there were 2000 jhuggies in Sector-25, whereas no toilet block had been constructed there. The residents of this area defecate in open. He further apprised with the number of jhuggies in Kachhi Colony Dhanas, Sector-38 West, Grain Market, Sector-26, Chandigarh, where the residents use open defecation. Therefore, the figures of 3000 are not admissible. He further said that under the priority works he demanded the construction of toilets in Colony of Sector-25, Chandigarh. He further apprised the House that the water pipelines had been crossing under the jhuggies and the people punctured the pipelines and the children used defecation on the said pipelines and the defecation mixed with the drinking water. He further asked why his agenda did not come where as he handed over the letter to the concerned Xen. for inclusion in the list of toilet blocks. He further said that the rickshaw pullers of the city also use open defecation. He further said that he had a C.D. regarding the open defecation in Sector-25, which shows the poor plight of the area.

The Joint Commissioner-I told as per details gathered from office of Executive Engineer, M.C.P.H.Divn.No.4 that around 6000 house hold were taken into account for using open defecation according to the Census of 2011 but after that census the Housing Board had constructed around 13000 EWS houses.

Major D.S.Sandhu (Retd.) said that a toilet had been constructed in Topiary Garden between Sector-35A & B, Chandigarh, but the same was locked since long time. He requested to open the same for use of public. He further apprised that a toilet block was also constructed near the hotel Himani, the condition of that toilet is also horrible. This toilet should also be made useable.

The Mayor said that a letter was circulated among all the Councillors and asked for the construction of toilet blocks in green belts of their areas. He further apprised the House that 48 toilet blocks had been made functional, 4 were under construction and 29 toilets were approved in the meeting of January, 2016 and the demand for 17 new toilet blocks in green belts had been received. He further said that as per demand of the Councillors, the agenda for rest of the toilet blocks would come in the next meeting. He further said that all the sulabh sauchalays would be made operational by 15th March, 2016 approximately. The tender would be opened on 10th March for the toilet blocks in markets. He further directed the Xen. that the requisition for the construction of toilet blocks in colonies should be ascertained.

Sh. Subhash Chawla suggested that a survey should be got conducted how many people use the open defecation and the toilets blocks should be constructed accordingly. He further said that the deaths of people occurred in Mauli Jagran due to contaminated water, therefore, he insisted for the construction of toilet blocks in Sector-25 before rainy season.

Sh. Pardeep Chhabra demanded that the toilet block of Nehru Park should also be inserted in the list.

“The House considered & resolved that the rough cost estimate amounting to Rs.131.85 lac for construction of 17 No. Public Toilet Blocks in Green Belts in various Sectors of Chandigarh, be and is hereby approved.”

SUPPLEMENTARY AGENDA ITEM NO. 228.2

Rough Cost Estimate for special repair/renovation of City Janj Ghar in Sector 23, Chandigarh.

The Secretary placed supplementary agenda item No.2 for consideration.

Sh. Subhash Chawla asked how much estimate was passed in the year 2008 for the renovation of Janj Ghar, Sector 23, Chandigarh.

The S.E.(B&R) told that major work was for the purchase of furniture i.e. bed, chair and sofa etc. There was no specification of vitrified tiles at that time. He further told that the specification of the renovation was being improved. The expenditure incurred for renovation of this Janj Ghar in the year 2008 would be told after perusing the record of that time.

Sh. Subhash Chawla said that vitrified tiles were fixed in the rooms and the fall ceiling of the banquet hall was also done at that time.

“The House considered & resolved that the rough cost estimate amounting to Rs.61.80 lac for special repair/renovation of City Janj Ghar in Sector 23, Chandigarh, be and is hereby approved.

It was also resolved that nominated Councillor Sh. Surinder Bahga be associated for estimate.”

TABLE AGENDA ITEM NO. 228.1

To frame policy for disposal of 112 built up booths and 02 halls in Vikas Nagar, Mauli Jagran, U.T. Chandigarh.

The Secretary placed table agenda item No.1 for consideration.

Smt. Rajinder Kaur thanked the Mayor for bringing the agenda. she requested for fixing the less reserve price of the 112 booths and two halls in Vikas Nagar, Mauli Jagran, U.T. Chandigarh in view of the poor people. She further said that the e-sampark centre should be opened in the said complex. She further raised the issue of 24x7 water supply and tubewell should be provided there before summer season. She further apprised the House that the sewerage lines is always leaked in Mauli Jagran, the same should be repaired.

The Mayor suggested that although the committee had recommended for sale of 24 booths i.e. 12 ground floor & 12 first floor on lease hold basis for 99 years, yet we should forward the case to the Administration for the sale on free hold basis like the

case of 40 booths of over bridge, Sector-17. He further said that the Corporation should write for establishing the e-sampark centre & banks in the complex. He further said that the reserve price would be reviewed according to the sale on free hold basis.

The Joint Commissioner-I said that the present reserve price had been fixed according to the sale of booths on lease hold basis for 99 years, if the booths would be sold on free hold basis then the reserve price would have to be changed accordingly.

“The House considered & resolved that the Secretary Local Government, Chandigarh Administration be requested to allow the disposal of 112 built up booths in Vikas Nagar, Mauli Jagran, Chandigarh, on free hold basis.

It was further decided that the two halls be kept for E-Sampark Centre and Bank on license basis respectively. The terms & conditions for the same will be finalized later-on.”

TABLE AGENDA ITEM NO. 228.2

Building plan in respect of villages falling under the jurisdiction of M.C. Chandigarh.

The Secretary placed table agenda item No.2 for consideration.

“The House considered & resolved that a panel of qualified civil architects be constituted for the approval of building plans of the houses measuring 1 to 5 marla in villages, at their own level subject to approval of the same by the Chief Administrator. It was also resolved that the resolution of the House be sent to the Chief Administrator through Secretary Local Government, Chandigarh Administration.”

TABLE AGENDA ITEM NO. 228.3

Conversion of NAC Area in Sector.

The Secretary placed table agenda item No.3 for consideration.

“The House considered & decided that the proposal for conversion of NAC area to give the status of Sector as per Chandigarh City pattern and named as Sector-26 (East). It was further resolved that the resolution be sent to the Administration for approval.”

TABLE AGENDA ITEM NO. 228.4

Rough cost estimate for providing and fixing stainless steel signage indicator boards in Sector-23, 24, 36, 37, 38, 38(West), 39 & 40, Chandigarh.

The Secretary placed table agenda item No.4 for consideration.

Sh. Pardeep Chhabra said that the names of the sectors have been changed in this agenda.

The S.E.(B&R) said that the SDO Sh. Maninder Singh was advised to prepare the agenda in the 1st phase, Division No.1, as the Engineering Department, U.T. has done in case of Sector-35.

Sh. Saurabh Joshi also said that he was apprised by the concerned SDO that Sector-15 & Sector-8 also had been included in the list of fixing stainless steel signage indicator boards in sectors but it reveals from the perusal of agenda that it had been changed.

The Mayor said that this decision was taken a day before yesterday and it was never taken before this agenda. So far as the discrimination is concerned, it has been decided by the officers. He further said that this agenda would be taken on its turn and first we should take table agenda No.1.

There was a din in the House on this issue.

Sh. Subhash Chawla suggested that the signage indicator boards should have been started from Sector-1 instead of pick & choose.

Sh. Des Raj Gupta said that the numbering of the houses in Subhash Nagar should be done properly.

Sh. Rajesh Gupta apprised the House that the similar agenda was brought in the House but that was turned down on the plea that the boards would be stolen.

The Mayor apprised the House that the Sector-35 would come within the jurisdiction of smart city, therefore, the signage indicator boards had been fixed in said sector on V-5 roads indicating the lane and no board had been stolen since six months. He further said no change had been done in the agenda. So far as the inclusion of names of sectors is concerned that has been done by the concerned SDO at his own level. He further advised the S.E.(B&R) to bring the agenda for whole of the city.

Major D.S. Sandhu (Retd.) said that the signage indicator boards fixed in Sector-35 had been creating the confusion.

“The House considered & resolved that the rough cost estimate amounting to Rs.96.89 lac for providing and fixing stainless steel signage indicator boards in Sector-23, 24, 36, 37, 38, 38(West), 39 & 40, Chandigarh, be and is hereby approved.”

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

**Secretary
Municipal Corporation
Chandigarh**

**Mayor
Municipal Corporation
Chandigarh**

**GENERAL TERMS AND CONDITIONS OF AUCTION OF COMMERCIAL BUILDINGS
ON LEASE HOLD BASIS.****COMMERCIAL BUILDINGS :-**

1.
 - i) The interested bidder will have to deposit an earnest money of Rs.2,00,000/- in cash or by means of demand draft drawn on any Scheduled Bank situated at Chandigarh in favour of the Commissioner, Municipal Corporation, Chandigarh with the Municipal Corporation, Chandigarh alongwith valid residence proof in order to become eligible for participating in the auction.
 - ii) On the acceptance of highest bid, 25% of the bid accepted by the auctioning officer shall be paid at the fall of the hammer by the highest auction purchaser by means of demand draft drawn in favour of Commissioner, Municipal Corporation, Chandigarh immediately.
 - iii) If the auction purchaser fails to pay the amount of 25% of the auction price at the fall of hammer the earnest money deposited under rule 1(i) above shall be forfeited.
 - iv) An agreement to sell shall be executed between the Estate Officer, Municipal Corporation, Chandigarh and the auction purchaser in the prescribed form as at Form B-I, with the stipulation that in case of default in making timely payment on the remaining balance of 75% within the stipulated period, the amount of 25% paid by the auction purchaser shall be forfeited. Similarly, in case the Municipal Corporation, Chandigarh fails to fulfill its obligation to lease out the property for any reason other than the reasons connected with public order, security of State or change in public policy, the Municipal Corporation, Chandigarh shall return the amount of 25% paid by the auction purchaser.
 - v) The remaining 75% of the consideration money shall be deposited by the intending purchaser in lump sum within 90 days of the date of auction by way of the prescribed mode of payment failing which the offer of allotment shall be deemed to have been cancelled and the payment made under sub rule (ii) shall be forfeited and the intending purchaser shall have no claim to any damages.

Provided that if the last day happens to be a public holiday, the next working day shall be deemed to be the last day for such payment.

- vi) Upon the receipt of full consideration money, the Municipal Corporation, Chandigarh shall issue allotment letter to the intending purchaser giving the terms and conditions of the allotment and calling upon him to execute a Lease Deed in Form 'D'. These documents shall be issued/executed by the Estate Officer, Municipal Corporation, Chandigarh and the purchaser, within a period of 30 days from the date of issue of the allotment letter. The lessee shall bear all the expenses occurring for the registration and stamp duty etc.

The Presiding Officer/Municipal Corporation, Chandigarh may withdraw any building that may have been put up for auction and he may accept or reject the highest bid without assigning any reason and the decision of the Municipal Corporation, Chandigarh in this regard shall be final.

A person may be competent to bid on behalf of another person/partnership firm/company/Hindi Joint Family if he satisfies the auction officer with a proper authorization to do so before the start of the auction.

- 2 The encumbrance free possession of the site/building shall be given to the lessee within 15 days of the execution of the Lease deed. No ground rent shall be paid by the lessee till the physical possession of the site is delivered to him/her.
- 3 That the Lessee shall abide by the provisions of the Capital of Punjab (Development and Regulation) Act, 1952, the Punjab Capital (Dev. & Reg.) Building Rules, 1952 and the Chandigarh Estate Rules, 2007, as amended from time to time.
- 4 The lessee shall not be permitted to use the buildings for a purpose other than that of which it has been allotted. The lessee shall not carry on any trade or industry other than as permitted under any scheme or rules notified by the competent authority.

In case of building violations and/or misuse of building under rule 9 of the Chandigarh Estate Rules 2007, is reported or come to the notice of the Estate Officer, Municipal Corporation, Chandigarh then, without prejudice to any action taken under Section 8-A of the Capital of Punjab (Development and Regulation) Act, 1952 a notice of period not less than 15 days shall be served on the allottee(s) and the occupier(s) requiring that the allottee(s) and the occupier(s) shall within a

period of two months, remove the said building violations and/or misuse of building and pay monthly charges @ Rs. 500/- per sq. ft. or revised from time to time of area under building violations and/or misuse of building which shall be paid jointly and severally by the allottee and the occupier of the site or building for every month or part thereof the building violation or misuse occurs.

Instead of specifying any particular trade or industry, the Estate Officer, Municipal Corporation, Chandigarh may specify that the lessee shall not carry on any trade or industry other than General Trade or Special Trade, as the case may be.

The expression General Trade and Special Trade, shall mean one or more of the trades respectively mentioned in Parts A and B of the Schedule appended to these terms and conditions.

Provided that the competent authority may allow the conversion from one trade list to another trade list as per any Scheme notified by the Administration, subject to conditions as imposed by the competent authority.

5 The lease period shall commence from the date of the execution of the Lease Deed and shall be for a period of 33 years, renewable for two like periods of 33 years each subject to the condition that the lessee continues to abide by all the conditions of lease at the time of such extension and during the extended period. After the expiry of the period of 99 years including two renewals mentioned above, the lease may, at the discretion of the Chandigarh Administration/Municipal Corporation, Chandigarh be renewed for such further period and on such terms and conditions as the Chandigarh Administration/Municipal Corporation, Chandigarh may so decide.

6 In addition to the consideration money, whether in respect of site or building, the lessee shall be liable to pay Annual Ground Rent as under: -

(i) Annual Ground Rent shall be 2.5% of the premium for the first 33 years, 3.75% of the premium for the next 33 years and 5% of the premium for the remaining 33 years period of the lease.

(ii) Annual Ground Rent shall be payable annually without any demand from the Estate Officer, Municipal Corporation, Chandigarh by the 10th of the month following the month in which the Ground rent becomes due according to the English calendar failing which the lessee shall be liable to pay the same within a period of six months alongwith the interest calculated @ 10% per annum from the date the Ground Rent became due till the date it is actually paid.

(iii) If the annual Ground Rent is not paid as per sub-rule (ii), the lessee/allottee shall be liable to pay the penalty at the rate of 25% for each year of default but not exceeding 100%, which may be imposed and recovered in the manner laid down in Section 8 of the Capital of Punjab (Development & Regulation) Act, 1952, as given below:

(a) First Year @ 25% of the Ground rent due.

(b) Second Year @ 50% of the Ground rent due, inclusive of (a)

(c) Third Year @ 75% of the Ground rent due, inclusive of (b)

(d) Fourth Year @ 100% of the Ground rent due, inclusive of (c) and onwards

Provided that interest shall not be charged in addition to the penalty.

7 **General Conditions of Allotment:**

- (i) Allotment may be jointly taken by more than one person. The liability to pay the premium as well as the rent and any penalty imposed under these rules shall be joint and several.
- (ii) Notwithstanding anything stated above, the provisions of sub-rule (i) and clause II in Form 'D' of the said rules shall apply mutates mutandis to the sub lessees.
- (iii) The lessee shall be liable to pay any or all such fee(s) or taxes as may be levied by the Central Government, Chandigarh Administration or Municipal Corporation, Chandigarh in respect of sites or buildings or both under any law.
- (iv) The allotment shall be governed by the provisions of the Capital of Punjab (Development and Regulation) Act, 1952, The Punjab Capital (Dev. & Reg.) Building Rules, 1952 and the Chandigarh Estate Rules, 2007, as amended from time to time.
- (v) The covered passage (verandah) in front of or on the sides of the building shall not be encroached upon or used for any purpose other than as a public passage.
- (vi) The right of displaying advertisement on and the use of end walls of the end sites and the benefits derived there from shall vest in the Municipal Corporation, Chandigarh.
- (vii) The lessee shall maintain the building in safe and hygienic condition.
- (viii) The Estate Officer, Municipal Corporation, Chandigarh or its representative shall be empowered at all convenient times to enter and inspect the site or building with a view to ensuring that no provision of the Capital of Punjab (Development and Regulation) Act, 1952 of the rules made there under including these rules, is

being violated. The Municipal Corporation, Chandigarh may authorize any person subordinate to him to carry out the aforesaid inspection.

- (ix) The Administrator, Union Territory, Chandigarh may in his discretion prescribe such further conditions of allotment as may be consistent with the provisions of the Capital of Punjab (Development and Regulation) Act, 1952, as amended from time to time, in the letter of allotment and lease deed either generally or under any particular scheme.
- (x) The lessee shall bear and pay all expenses in respect of execution and registration of the lease deed, including the stamp duty and registration fees payable in accordance with the law in force at that time.
- (xi) No fragmentation or amalgamation of any site or building shall be permitted.

Provided that amalgamation of two or more adjoining sites shall be permissible only in the case of commercial or industrial sites subject to the condition that the revised plans are approved by the competent authority, prior thereto.

Provided further that fragmentation of any site shall be allowed if such fragmentation is permitted under any scheme notified by the Administration.

- (xii) No objectionable trade shall be permitted on or in any site or building except with the previous permission in writing of the Chief Administrator.
- (xiii) That actual dimensions and area of each building will be announced before the start of its bid.
- (xiv) The other terms and conditions shall be those as given in the Capital of Punjab (Development and Regulation) Act, 1952, the Punjab Capital (Development & Regulation) Building Rules 1952 and the Chandigarh Estate Rules, 2007, as amended from time to time.
- (xv) That the purchaser/bidder shall abide by the Capital of Punjab (Development and Regulation) Act, 1952, the Punjab Capital (Development & Regulation) Building Rules 1952 and the Chandigarh Estate Rules, 2007, as amended from time to time.

Accepted

Announced

Lessee/Transferee

**Joint Commissioner-I-cum-
Estate Officer, M.C. Chandigarh.**