

CHANDIGARH ADMINISTRATION
LOCAL GOVERNMENT DEPARTMENT
NOTIFICATION

The 16th January 2006

No.6/I/81(GOI)-II 1(8)-2006/748 With reference to Chandigarh Administration, Local Government Department's notification bearing No.734-FII(8)-2005/7223, dated the 13th October, 2005 and in exercise of the powers conferred by clause J.6 of sub-section (1) of Section 399 of the Punjab Municipal Corporation Act, 1976 as extended to the Union Territory, Chandigarh, by the Punjab Municipal Corporation Law (Extension to Chandigarh) Act, 1994 (Act No.45 of 1994), the Administrator, Union Territory, Chandigarh, hereby makes the following byelaws namely:-

BYE LAWS

PART-I

Short Title and Commencement:- (i) These bye-laws may be called the Municipal Corporation, Chandigarh (Constitution, Election of Chairperson and Functions of Wards-Committee) Bye-Laws, 2005.

- (ii) They shall come into force from the date of their final publication in the official Gazette.

Definitions:- (A) In these bye-laws unless the context otherwise requires:-

- (i) 'Act' means the Punjab Municipal Corporation Act, 1976 as extended to the Union Territory, Chandigarh.
- (ii) 'Administrator' means the Administrator of the Union Territory, Chandigarh, appointed under article 239 of the Constitution.
- (iii) 'Chairperson' means the Chairperson of Wards Committee as mentioned in sub-section (1) of Section 41B of the Act.
- (iv) 'Commissioner' means the Commissioner of the Corporation.
- (v) 'Corporation' means the Municipal Corporation of Chandigarh.
- (vi) 'Member' means a member of the Wards Committee as nominated by the Administrator and also includes elected area Councillor and nominated Councillors registered as voter within the territorial limits of the said Committee.
- (vii) 'Secretary' means the Secretary of the Corporation.
- (viii) 'Secretary of the Wards Committee' means an officer specified by the Commissioner to be its Secretary.
- (ix) 'Wards Committee' means Wards Committee constituted under the provisions of Section 41(A) of the Act and these bye-laws.

- (B) Words and expressions used in these bye-laws but not expressly defined herein shall have the meaning assigned to them in the Act.

PART-II

CONSTITUTION OF WARDS COMMITTEE

3. (i) The Administrator shall constitute a Wards Committee for each ward of the Corporation.
 - (ii) A Wards Committee shall consist of 11 members including the elected and nominated Councillor of the Ward.
 - (iii) Term of the Wards Committee shall be one year.
 - (iv) The members of the Wards Committee shall have representation from amongst eminent persons who are ordinarily residing in the concerned ward.
 - (v) The elected Councillor representing the ward in the Corporation shall be the Chairpersons of the respective Wards Committee.
 - (vi) The elected Councillor of the concerned Ward will send suitable recommendations to the Administrator for nomination of members for his own Wards Committee for consideration of the Administrator.
The Commissioner, Municipal Corporation, Chandigarh and the Deputy Commissioner, Chandigarh, will send their recommendations directly to the Administrator from amongst eminent persons who are ordinarily residing in Chandigarh for nomination as a member of Wards Committee in respect of the ward within which the residence of the nominee falls.
4. The Commissioner shall within a week from the date of issue of the order constituting Wards Committee, specify an officer of the Corporation to be the Secretary of each Wards Committee.
5. Where a vacancy has arisen on the resignation or death of the Chairperson, the Administrator may appoint any other Councillor as Chairperson of the Wards Committee till election is held to fill the vacancy in due course.

PART-III

TRANSACTION OF BUSINESS BY THE WARDS COMMITTEE

6. (i) The Chairperson shall convene meetings of the Wards Committee and every meeting shall be presided over by him/her.
- (ii) At the first meeting in every year of the wards committee, the members of the Wards Committee shall elect from amongst themselves a panel of two vice-chairpersons indicating first and second preferences. The person at first preference shall preside over the meetings in the absence of Chairperson and the person at second preference shall preside over the meeting in the absence of the person at first preference.
- (iii) The Chairperson shall preside over and decide all points of order arising at the meeting. His decision thereon shall be final.

- (iv) When the conduct of any member, in the opinion of the Chairperson, is disorderly he may direct such member to withdraw from the meeting of the Wards Committee and may not allow him to attend the remainder of the day's meeting.
 - (v) If any member who has been ordered to withdraw continues to remain in meeting, the Chairperson may take steps to cause him to be removed.
7. The Chairperson may refer any resolution of the Wards Committee to the Corporation for its consideration.
 8. All official correspondence between the Wards Committee and the Corporation shall be in the name of the Chairperson.
 9.
 - (i) The Chairperson, if so chooses to resign, may resign his office by writing under his hand addressed to the Mayor and delivered to the Commissioner. The resignation shall take effect from the date specified in writing for the purpose and if no date is specified from the date of its receipt by the Commissioner whichever is later.
 - (ii) Any member of the Wards Committee may resign his office by writing under his hand addressed to Chairperson and delivered to the Commissioner.
 10.
 - (i) No member shall vote at a meeting of the Wards Committee on any question relating to his/her own conduct or vote or take part in any discussion on any matter (other than the matter affecting generally the residents of the ward), which concerns his/her pecuniary interest or any property in respect of which he is directly or indirectly interested or any property of or for which he is a manager or agent.
 - (ii) A member may challenge the decision of the Chairperson, who shall thereupon, put the question to the members and the decision in the meeting by majority shall be final.
 11.
 - (i) Any member may draw the attention of the Chairperson to any neglect in the execution of the Municipal work or to any damage to municipal property or to the requirements of any locality and may suggest any improvements or execution of works considered desirable.
 - (ii) Every member shall have access to the records of the Wards Committee during office hours after giving a reasonable notice to the Chairperson provided that access to such record may be declined by the Chairperson if considered confidential and in case such disclosure is not in public interest.
 12.
 - (i) The Wards Committee may be allotted a room for its office in a Community Centre falling within its territorial jurisdiction or in the nearby Municipal building where there is no such Community Centre in the Ward by the Commissioner, Municipal Corporation, Chandigarh. The meeting of the Wards Committee shall be held in such Community Hall and the date and time of such meeting shall be fixed in such a manner that the same is not held on such a day when the Community Centre is already booked for any religious or social function. Before fixing date for the meeting, the Chairperson shall ascertain this information through the Secretary of the Wards Committee.
 - (ii) The meeting of the Wards Committee shall be held at least once in every month.
 - (iii) A meeting of the Wards Committee may be held on a public holiday, if so required and decided by the members of the Committee.

13. (i) No meeting shall be held unless notice of the date and time for holding the meeting and the business to be transacted is circulated to its members at least seven clear days before the said meeting is to take place.
Provided that in case of urgency or occurrence of any calamity, the Chairperson may convene a meeting by giving a short notice.
- (ii) The Agenda of the meeting shall be prepared by the Secretary in consultation with the Chairperson. The members desiring to include any item for discussion may send the same in writing to the Chairperson at least five days before the meeting is scheduled to be held. The Chairperson shall have the right to record his views in a note on any subject included in the agenda and such note shall be circulated to the members or placed before the Wards Committee at the time of its consideration by the said Committee.
14. The Chairperson shall, on the request in writing of not less than half of the members of the Wards Committee, convene a meeting of the Wards Committee provided that the request contains specified date and time in this behalf. The request shall be delivered to the Chairperson or the Secretary at least seven days clear before the date of the meeting.
15. All the meetings of the Wards Committee shall not be open to the public in general provided that the Chairperson may allow some persons of the public taking into consideration the number of the seats available for accommodation of the members of the public.
16. (i) All questions which may come up before the Wards Committee at any meeting shall be decided by majority by voting by members present and in case of equality of votes the Chairperson shall have a casting vote.
- (ii) When a member gives a dissent note the Chairperson shall incorporate the same in the minute's book.
17. (a) The quorum necessary for the transaction of business at the meeting of the Wards Committee shall be $\frac{1}{3}^{\text{rd}}$ of the total members.
- (b) No business shall be transacted unless the quorum of members is complete. If quorum is not complete even at the adjourned meeting, the business on the agenda may be taken up provided that the Chairperson or a panel of Vice-Chairperson is present.
18. Minutes of the meetings of the Wards Committee shall be drawn up and entered in a book to be kept for that purpose and thereafter signed by the Chairperson and the said minutes shall be sent to the Municipal Secretary by the Secretary of the Committee. The Municipal Secretary thereafter shall send a copy of the minutes to the Mayor and Commissioner, Municipal Corporation, Chandigarh, for information and necessary action.
19. Resolutions of the Wards Committee may be modified or cancelled or kept in abeyance by the Corporation.

20. The Secretary of the Wards Committee shall have the custody of the proceedings of meeting and other records of the Wards Committee. He shall be responsible for the proper upkeep of the said record. The Secretary of the Wards Committee shall be responsible to produce the same as and when required/summoned by the Chairperson/Commissioner of the Corporation.

21. The Secretary of the Wards Committee shall be given an advance of Rs.500/- or more to be decided by Commissioner on the basis of the number of members, for making arrangements for serving of water, tea, snacks etc. to the members attending the meeting as also for meeting the expenditure for purchase of stationery etc. The Secretary shall send the bills of the expenditure to the Additional Commissioner, Municipal Corporation, Chandigarh, for payment and recumbent of Rs.500/-.

PART-IV

FUNCTIONS OF THE WARDS COMMITTEE

22. (i) The Wards Committee shall act as an advisory body within its territorial limits on the following matters, namely:-
- a) Water supply;
 - b) Sanitation and drainage;
 - c) Removal of accumulated water in streets and public places;
 - d) Collection, removal and management of solid wastes;
 - e) Disinfection;
 - f) Immunization services in slum areas;
 - g) Street Lighting;
 - h) Planning and maintenance of roads;
 - i) Maintenance of parks;
 - j) Informal markets;
 - k) Reporting on damage to the Municipal property; and
 - l) Any other duties and functions expressly provided by the Municipal Corporation, Chandigarh, by a duly passed resolution.

Krishna Mohan, IAS,
Secretary Local Government,
Chandigarh.