NOTIFICATION

Dated the Chandigarh the 29th April, 2015

No.:-- 6/7/14-2LG1/470847/1. The following by-laws titled "The Punjab Municipal Corporation, Sahibzada Ajit Singh Nagar (Mohali) (Disposal Of Construction Material, Malba And Debris) by-laws, 2015, made after previous publication by the Municipal Corporation Sahibzada Ajit Singh Nagar(Mohali) in exercise of the powers conferred upon it by item(6) of clause J of sub-section (1) of section 399 of The Punjab Municipal Corporation Act, 1976 (Punjab Act No. 42 of 1976), after having been approved by the Government is published in the official gazette for general information as required under section 401 of the said Act, namely:-

BYE-LAWS

1. Short title and commencement and application :-

1) These byelaws may be called the Municipal Corporation, Sahibzada Ajit Singh Nagar (Mohali) (Disposal Of Construction Material, Malba And Debris) Bylaws 2015.

2) They shall come into force on and with effect from the date of their publication in the official Gazette.

3) They shall apply within the limits of the Municipal Corporation, Sahibzada Ajit Singh Nagar (Mohali)

2. Definitions:-- In these byelaws unless the context otherwise requires,-

i) ‘Commissioner’ means the Commissioner of the Municipal Corporation, Sahibzada Ajit Singh Nagar (Mohali);

ii) ‘Common portion’ means that portion of the plot or premises which is in common use, which includes land, gateway, enclosures, compound walls, passages, corridors, stair-cases, fitting, fixtures, lift, parks, open space, vacant plots, road berms, back service lanes, if any, installation whether for water supply or drainage or lighting or any other purpose and all such facilities which are used or intended to be used in common;

iii) ‘Common service’ in relation to the common portion mean the service which is rendered for maintenance, running, keeping in good condition and controlling common portion;

iv) ‘Corporation’ means the Municipal Corporation, Sahibzada Ajit Singh Nagar, (Mohali) constituted under the Punjab Municipal Corporation Act, 1976; and

v) All other words used in these byelaws but not defined shall have the same meaning as assigned to those words under the Punjab Municipal Corporation Act, 1976.
3. **Prohibition on depositing or leaving of Malba:**

1) No person shall deposit or leave or caused to be deposited or left any malba, debris or rubbish or construction material in any street, public place or common portion, other than the place notified in this behalf by Corporation.

2) It shall be the responsibility of the owner or occupier of the site to remove or caused to be removed any malba, debris or construction material immediately, failing which the Corporation may, without notice, cause to be removed any of the things referred to in sub-byelaw (i), which has been deposited or set up in any street, public place or at the common portions.

3) When the malba or debris or rubbish or construction material is removed by the owner of the occupier of the site through a vehicle hired by him, it shall be the responsibility of the owner of the vehicle or the person driving the vehicle to stack such material at the site notified in this behalf by the Corporation and on failure to do so, the owner or the person driving such a carrier shall be responsible for the breach of the provisions of these byelaws, which may also entail the impounding of his vehicle.

4) In case such malba or debris or rubbish or construction material is removed or caused to be removed by the Corporation, the owner or occupier of the site shall be liable to pay removal charges and penalty as specified in bye-law 8.

4. **Matters to be kept in view while carrying out additions, alternations or repairs:**

- In carrying out the work regarding additions, alternations or repairs or construction at the site, the owner or the occupier, as the case may be, shall ensure that:

  1) No obstruction to common portions is caused;
  2) No misuse of the property is made by occupying common passage, staircase, approaches and the like;
  3) No garbage or refuse within the precincts of the property is thrown outside; and
  4) No insanitation or nuisance is created.

5. **Safety Measures:**

- The owner or occupier, as the case may be, shall take proper safety measures and necessary steps to segregate the construction of site during construction such as- setting up barriers or fences with G.I. sheets, wire-mesh or ply boards to ensure trapping and containment of all construction material.

6. **Charges for damage done to street or road or etc.:**

- The Charges for any damage done to a street or road while undertaking the construction or addition, alteration or repair in already constructed building shall be as as notified by the corporation from time to time.

7. **Sale of Construction Material:**

- No person shall be allowed to sell construction material including sand, bajri, bricks etc., by storing the same on unauthorized places within the limits of the corporation.

8. **Charges of removal and penalties:**

   1) Any person including a Government Departments or their servants, who fails to comply with any order lawfully made upon him by the Commissioner or such other officer as the Commissioner may authorize under these bye-laws, shall be
liable to pay removal charges according to official resolution No. 160 dated 2.8.2013 passed by the Municipal Corporation SAS Nagar that states Rs. 2000/- as removal charges and Rs 500/- as penalty fee. Further, if the violation continues for the second time, the defaulter has to pay two times of the removal charges, as penalty irrespective of the removal charges.

2) If a person, who commits a breach or an abetment or any of the provisions of these bylaws, is fined and he does not pay the same, the recovery of the same shall be made through Challan by Chief Sanitary Inspector/Sanitary Inspector (CSI/SI). However, recovery of the fine through Challan shall be decided at the level of the Commissioner, or any other officer of the Corporation authorized by him. In case of non-payment of fine their water/sewerage connection will be disconnected till the recovery of fine and cost of labour/material spent in disconnection, restoration shall recovered from the defaulter.

9. Resolving of disputes: If any dispute or difference arises under these bye-laws in respect of any charges of removal of caused to be removed charges, for damage to a street or road or with regard to penalty imposed under the provisions of these bye-laws, it shall be resolved by the commissioner to the best of his judgment and ability and his decision in this regard shall be final.

Date, Chandigarh, the 10-4-2015

(Ashok Kumar Gupta, IAS)
Secretary to Government of Punjab
Department of Local Government
Punjab, Chandigarh

Endst. No. 6/7/14-2LG1/470847/2

Dated, Chandigarh the 27th April, 2015

A copy is forwarded to the Controller, Printing & Stationery, Punjab, Mohali, with the request to publish this notification in the Extraordinary gazette of the State Government, and supply 100 spare copies immediately.

Additional Secretary Local Government

Endst. No. 6/7/14-2LG1/470847/3

Dated, Chandigarh the 27th April, 2015

A copy each is forwarded to the following for information and necessary action:-
(1) Director, Local Government, Punjab, Chandigarh.
(2) Deputy Commissioner, SAS Nagar (Mohali)
(3) Commissioner, Municipal Corporation, SAS Nagar (Mohali)
(4) All Regional Deputy Directors Local Government in the State.
(5) All officers of the Department of Local Government Secretariat/Directorate.
(6) All Superintendents and officials of Branches of Department of Local Government Secretariat and Directorate.
(7) Director Information and Public Relations Punjab, Chandigarh.

Additional Secretary Local Government