PREAMBLE

Senior Inspector (Encroachment), 'N' ward

The right to information is implicitly guaranteed by the Constitution. However, with a view to set out a practical regime for securing information, the Indian Parliament enacted the Right to Information Act, 2005 and thus gave a powerful tool to the citizens to get information from the Government as a matter of right. This law is very comprehensive and covers almost all matters of governance and has the widest possible reach, being applicable to Government at all levels- Union, State and Local as well as recipients of government grants.

The basic object of the Right to Information Act is to empower the citizens, promote transparency and accountability in the working of the Government and make our democracy work for the people in real sense. The Act is a big step towards making the citizens informed about the activities of the Government.

The Act requires the Government authority to compile a handbook in easily comprehensible form and to update it from time to time under Section 4(1) b sub clauses i to xvii (17 Manuals). The objective of publishing 17 Manuals is the proactive disclosure of the information/records held by Govt. Authority for the information seekers. The office of Sr. Inspector (Encroachment), N ward is hereby publishing the Handbook for 17 Manuals as required under RTI Act 2005 to promote transparency and accountability in the working of the department & to give easy access to the information seekers to the information & records held by this office.

This handbook contains introduction about the department along with particulars of its functions, duties, objectives & vision. It further elaborates about the duties, powers delegated to its officers & employees. The procedure followed in decision-making process, accountability of concerned officers, Norms set for discharge of its function along with related rules/regulations are further described in detail. It also contains the Statement of Categories of documents held by this office, directory & remuneration of its officers and employees. The details of budget allocation & its disbursement, particulars of permits issued, facilities available for citizen & details of PIO/Appellate authority is also published for information.

This consolidated updated handbook on 17 Manuals of the Act would help all the information seekers in getting information. However, in case any information seeker wants to get more information on topics covered in the handbook as well as other information may contact Senior Inspector (Encroachment), 'N' ward whose office is situated at 'N' ward office, Room No. 21, 2nd floor,Jawahar Rd. Ghatkopar (East) Mumbai No. 400077. The procedure and fee structure for getting information is as per the provisions of RTI Act,2005.

Senior Inspector (Encroachment), 'N' ward

Introduction

TUpto 1970 hawkers' licences were granted under section 313 (A) / 313 (B) of Mumbai Municipal Corporation Act 1888.Licences were granted for hawkers hawking on roads and footpaths, licences for Cobblers and P.C.O. Booths for blind / handicapped persons were liberally granted up to the judgement date i.e. 30th July, 2004 of Hon'ble Supreme Court. However as per the orders of Hon'ble Supreme Court dated 30th July 2004 M.C.G.M. is restrained from issuing any new licence to any person for doing any activity.

While hearing the petition on the scheme of the "Hawking and Non Hawking Zones", the Hon'ble Supreme Court vide their order dated 12th February 2007, directed the State Government of Maharashtra to frame the Policy for hawkers based on the National Policy on Urban Street Vendors up to 31st May 2007. Accordingly, 2 the State Govt. of Maharashtra formulated "Model Bye-laws" as per Government Resolution No.309 of 02.03.2009 and M.C.G.M. was asked to formulate its own Byelaws based on said "Model Bye-laws" for regulation of hawker in the City of Mumbai. Accordingly, the Municipal Corporation of Greater Mumbai has formulated Hawkers Bye-laws 2009 for which Corporation has accorded sanction vide C.R.No.1192 on 26.02.2010. As per the procedure laid down in "Model Bye-laws" of the State Govt. suggestions / objections on Bye-laws have been invited from the citizens of Mumbai, Hawkers Unions other Institutes and other concerned by Note and the scrutiny thereof is completed. Hearing on giving Press suggestions / objections is to be accorded by the Hon'ble Mayor and necessary changes will be incorporated in the Bye-laws after hearing the suggestions / objections and will be placed again before the Corporation for sanction. On receipt of the Corporation's sanction, these bye-laws will be submitted to the State Govt. for final approval. On receipt of approval from State Govt., the same will be implemented by the M.C.G.M. in the Greater Mumbai. However, State Govt. vide letter dated 25.06.2010 has informed the M.C.G.M. that the suitable provision in M.M.C. Act is under consideration of the Govt. and on suitable provision in M.M.C.Act is made, the Hawkers should be finalized.

Presently removal actions are being taken under section 314 (c) of Mumbai Municipal Corporation Act against unauthorized hawkers squatting on Municipal footpath / roads, even though the aforesaid procedure is going on.

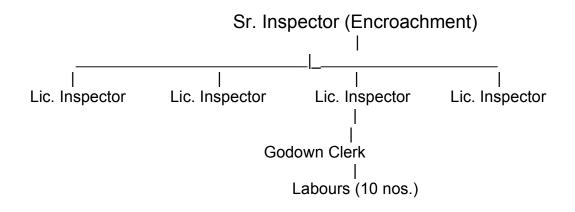
Section 4 (i) (b) (i)

The particulars of functions & duties of the public authority:-

1.	Name of Public Authority	Sr. Inspector (Encroachment) & Lorry Inspectors
2.	Address	Room No. 21, 2 nd floor, 'N' Ward office, Jawahar Rd. Ghatkopar East, Mumbai 400077.
3.	Head of the Office	Sr. Inspector (Encroachment)
4.	Parent Govt. Deptt.	Superintendent of Licences
5.	Reporting to which Office	Assistant Commissioner 'N' Ward
6.		'N' Ward boundaries of East Thane Creek (West) from Netaji Palkar Marg along Ghatkopar and Vikhroli Hills upto Varsha Nagar of Park Site Colony,(North) from theend of Varsha Nagar along the Western boundary of Godrej Co., 17 th Rd.(Park Site colony) along L.B.S. Marg meeting Vikhroli Stn. And along Pirojsha Godrej Marg upto the nalla and Thane Creek South to Kannamwar Nagar (South), Netaji Palkar Marg, Khalai Village, Nathani Steel Yard, South of Chitranjan Nagar, Hindu cemetry upto the nalla near Ghatkopar Pumping Station.
7.	Mission	To remove encroachments i.e u/a hawkers from municipal roads, footpath, gutters. To prepare hawking zones as per directions given by compentent authority.
8.		 To keep Roads, Footpaths free form u/a hawkers To keep areas like Hospitals, Rly Stns, Schools, Religious Places free from u/a hawkers. Prepare Hawking & Non-Hawking Zones & shift the hawkers according in the area where the hawking zones are provided by the three members committee.
9	Objectives	To keep Roads, Footpath hawkers free. To plan the hawking zones & non hawking zones as per Supreme Courts orders.

10.	Functions	 To take encroachment removal action against u/a hawkers
		 To keep Roads, Streets, foots around near Hospitals, Schools, Rly. Stns., Religious Place hawkers free.
		3. To carry out the Public Auction Sale of unclaimed non perishable goods within specific time limit.
		4. To remit the redemption amount daily in CFC.
		 Keep the records of plastic carry bags below 50 microns deposited in godown by several authorities i.e. Security Dept., Lic. Dept., S&E dept.
		6. To deposit the gas LPG cylinders seized during the ER action.
		 To keep track record of Banners, Posters, Boards, Glow Signed Boards etc. removed / seized during the removal action.
		 Submit reports of Handcarts sized removal of Eatable Hawkers, Tobacco selling actions near educational Institutes, complaint received & disposal during the week & month.
		 Replied all MCL/C, MCL/A B Complaints from M.C's Office.
		Replied all RTI applications.
11.	Details of Services	To keep Roads & Footpaths free from hawkers for
	Provided	pedestrians.
12.	Physical Assets	NIL
13.	Organization's Structural Chart	NIL
14.	Tel. No. & Office Timing	Tel No:- 25010161 Ext:- 209
		Office Timing:- 10:30 AM to 5:30 PM (Monday to Friday) & 10:30 AM to 2:00 PM Saturdays
15.	Weekly Holidays	Sunday & Public Holidays

Organization's Structural Chart



Section 4 (i) (b) (ii)

The powers of officers and employees in the office of Sr. Inspector (Encroachment):

		4	N	
Sr No	Designation	Powers Financial	Under which legislation/rules/ orders/ & Rs.	Remarks
1.	Sr. Inspector (Ench)	Nil		
2.	Lorry Inspector	Nil		

В

Sr No	Designation	Powers Administrative	Under which legislation/rules/ orders/ & Rs.	Remarks
1.	Sr. Inspector (Ench)		MMC Act, 1888	
2.	Lorry Inspector		MMC Act, 1888	

С

Sr No	Designation	Powers Magisterial	Under which legislation/rules/ orders/ & Rs.	Remarks
1.	Sr. Inspector (Ench)	Nil		
2.	Lorry Inspector	Nil		

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Sr No	Designation	Powers Quasi judicial	Under which legislation/rules/ orders/ & Rs.	Remarks
1.	Sr. Inspector (Ench)		RTI Act, 2005	
2.	Lorry Inspector	Nil		

Е

Sr No	Designation	Powers Administrative	Under which legislation/rules/ orders/ & Rs.	Remarks
1.	Sr. Inspector (Ench)	Nil		
2.	Lorry Inspector	Nil		

Powers and Duties of Officers and Employees

The administrative powers, the financial powers and duties, etc. of officers and employees are as detailed below: -

DUTIES OF SR.INSPECTORS (ENCROACHMENT) :-

(Encroachment removal action taken against unauthorized hawkers.)

- Except specific duties regarding licences under sections, other general duties prescribed above are vis-à-vis applicable to the Senior Inspectors in charge of encroachment removal.
- 2. They should check all the reserved areas by surprise and ensure regular payment of fees and compliance with the licence conditions.
- 3. For unauthorized encroachments, hawkers, Senior Inspector is expected to take rigorous actions.
- 4. They are responsible for proper arrangements of vehicles, equipments on Roads/ footpath etc. and regular marking of muster rolls of labour staff under them.
- 5. They are responsible for prompt removal of unauthorized encroachments from Public Street by supervising the encroachment removal work of the Lorry Inspectors.
- 6. They are fully responsible to prepare reports required for hawking / non hawking zone scheme as per Hon' ble Supreme Court' s judgments under Special Leave Petition No. 4156-4157 of 2002.
- They have to follow instructions / directions as per Hon' ble Supreme Court' s judgments dated 9.12.2003, 30.7.2004, 1.4.2005, The Street Vendors (Protection of Livelihood and Regulation of Street Vendors) Act, 2014 and orders of S.L. / D.M.C. / A.M.C. (City).
- 8. To reply to the applications received under Right To Information Act 2005.

- Duties of Lorry Inspector (Encroachment Removal) :-
- 1. He should attend to complaints promptly and report compliance to the Sr. Inspectors.
- 2. He should remove unauthorized banners, posters, board, etc. daily with the help of Advertisement Inspector of respective ward.
- 3. He should take vigorous actions against unauthorized hawkers and keep the areas under his jurisdiction clean. His fieldwork should be of active, extensive and driving with a view to preventing nuisance of unauthorized hawkers on Municipal Roads and Footpaths.
- 4. He should see that all the goods seized by encroachments removal action are properly weighed and entered into the registered before the redemption.
- 5. He should attend to auctions sales.
- 6. He should see that the Labour staff under him work properly and attend to the duties regularly.
- To maintain separate register to enter complaints received regarding encroachment of unauthorized hawkers and to take removal action.
- 8. He should keep field book of day-to-day work of encroachment removal action.

DELEGATION OF POWERS TO SR.INSPECTOR (ENCH.)

Under Section 68 of the Mumbai Municipal Corporation Act 1888 Sr. Inspector (Ench) 'N' Ward is hereby empowered to exercise, perform and discharge under the control and subject to the revision of the Commissioner, the several powers, duties and functions conferred or imposed upon or vested in the Commissioner by the several Sections, Sub-Sections and Clauses of the said Act herein below mentioned :-

<u>EXPLANATION</u> :- The entries in the second column of the below table headed 'Nature of powers' etc. are not intended as definitely described in Sections, Sub-Sections and Clauses mentioned in the first column or even as abstracts of those sections, sub-sections and clauses, the numbers of which are given in the first column.

Sr. No	Nature of Powers, Duties and Functions delegated						
1	Except specific duties regarding licenses udder section, other general duties prescribed above						
	are vis-à-vis applicable to the Senior Inspectors in charge of encroachment removal.						
2	They should check all the reserved areas by surprise and ensure regular payment of fees and						
	compliance with the license conditions.						
3	For unauthorized encroachment, hawkers, Senior Inspector is expected to take rigorous actions.						
4	They are responsible for proper arrangements of vehicles, equipments on Roads/ footpath etc						
	and regular marking of muster rolls of labour staff under them.						
5	They are responsible for prompt removal of unauthorized encroachments from Public Street by						
	supervising the encroachment removal work of the Lorry Inspectors.						
6	They are fully responsible to prepare reports required for hawking/ non hawking zone scheme as						
	per Hon' ble Supreme Court" s judgments under Special Leave Petition No. 4156-4157 of 2002.						
7	To reply to the applications received under Right To Information Act 2005.						
8	They have to follow instructions /direction as per Hon' ble Supreme Court" s judgments dated						
	9.12.2003, 30.7.2004, 1.4.2005 and order of SL/DMC/AMC (City.).						

Section 4 (1) (b) (iii)

The Procedure followed in the decision- making process, including channels of

supervision and accountability in the office of Sr.Inspector (Ench.)

	•			,			•	`	,		
NAM	E OF ACTIVITY - Action against unauthorized Hawkers										
Rela	Related Provisions - Under section 314 of MMC Act.										
Nam	ne of the Acts/A	cts	- MN	/IC Act 1888	3						
Rule	S		-								
Gov	t. Resolutions		-								
Circ	ulars		-								
Offic	e Order		-								
•	A 1 ¹ 11	o.						A (1	•1		

Sr.	Activity	Steps involved	Time limit	Authority role	Remarks
No.				and	
				responsibility of	
				the	
				employee/officer	
				in connection	
				with each	
				activity.	
				(mention	
				designation)	
1	Action	1) To make arrangement of	1to3 days	Sr. Inspector	
	against	proper vehicle,Tools,		(Ench.)	
	unauthorized	equipments for			
	Hawkers	Ench.Removal action on			
		roads & footpaths			
		2) Arrange sufficient staff for E/R	1to3 days		
		action			
		3) Arrange joint actions with			
		other deptt.if necessary			

 To take ench. removel action against unauthorized hawkers & keep the areas under his jurisdiction clean, keep roads & footpaths hawkers free. The goods seized during the ench. removel action are deposited in a ench. godown daily. All goods seized during the ench. removel action are properly weighed & entered into the registered before redemption To release the perishable goods after one day by public 	1to3 days	Lorry Inspector	
 perishable goods with proper redemption charges/dambriages as per sc shedule 6) Remit the redemption charges amount in CFC Counter of Ward office every next day 7) To arrange & attend the public auction sale for unclaimed non perishable goods 8) To maintain separate register to enter complaints received 			

		regarding ER action 9) To keep record of plastic carry bags			
2	Removal of Advt. boards/ banners	 To remove unauthorized boards/banners etc. daily with help of advt. inspector To keep all record of removal unauthorised boards/banners in redemption register & report the same to SL Office daily 	Within 24 Hours	Lorry Inspector	

Section 4(i)(b)(iv)

Norms set for discharge of its functions in the office of Sr. Inspector (Encroachment) at 'N' ward

Organisational Targets (Annual)

Sr. No.	Designation	Activity	Financial Targets (in Rs.)	Time Limit	Remarks
1	NIL	NIL	NIL	NIL	NIL

Section 4 (1) (b) (v)

The rules / regulation related with the functions of

0			
Sr.	Subject	G.R. /Circular / Office	Remarks if any
No.		order. Rule no.	
		Notification etc. date.	
1	Redemption	SL/ 10 of 2011-12	
	charges		
2	Auction sale	SL/ 44 of 1991-92	
		SL/26 of 2001-02	
		SL/09 of 2003-04	
		SL/2367/Acct dated	
		15/05/2012	
3	Private vehicle	AMC/City/6041 dated	
	tender	5/7/2013	

Sr. Inspector (Encroachment)

Section 4 (1) (b) (vi)

Statement of Categories of documents held in the office of

Sr. Inspector (Encroachment), 'N' Ward

Sr No	Subject	Type of Document / file or register	File No. or Register No.	Particulars	Periodicity of Preservatio n
1	Redemption Register	register		Entries of seized goods with redemption charges	Permanent
2	Auction sale file	File		Public auction sale of Non perishable unclaimed goods	Permanent
3	Receipt book	Book		Redemption charges taken	Permanent
4	Remittance book	Book		Particulars of payment	10 years
5	Remittance receipt	File		Acknowledgement of remittance charges	10 years
6	Audit Note	File		Short recovery of redemption charges	10 years
7	R T I Register	Register		Reply to party	10 years
8	Complaints register	Register		Written complaints	5 years
9	Muster Roll & Effective report	Register and File		Daily & Monthly attendance	Permanent
10	Private vehicle tender file	File		Periodical tender of Pvt. Vehicle for Ench.	5 years
11	Plastic seized report book	File		Plastic carry bags report	5 years
12	Establishme nt file	File		Employees leave record & transfer order	5 years

Section 4(i)(b)(vii)

Particulars of any arrangement that exists for consultation with the members of public in relation to the formulation of policy and implementation in the office Sr. Inspector (Encroachment) at 'N' ward

Sr.	Consultation	Details of the	Under which Act /	Periodicity
No.	for	mechanism	Rule / Circular	
	NIL	NIL	NIL	NIL

Section 4(i)(b)(viii)

Statement of Boards, Councils, Committees or Other bodies

Sr. No.	Name of the Committee Board / Council / Other bodies	Composition of Committee Board / Council / Other bodies	Purchase of the Committee Board / Council / Other bodies	Frequency of meetings	Whether meeting open to public or not	Wehther Minutes are available to public or not	Minutes availabl e at
	NIL	NIL	NIL	NIL	NIL	NIL	NIL

Section 4(i)(b)(ix)

Directory of the officers and employees

Sr. No.	Designation	Name of the officer / employee	Cadre	Date of joining the post	Date of joining in 'N' Ward	Contact details (Phone / Fax / Email)
1	Sr. Inspector (Encroachment)	Shri.U.J. Sarmalkar	В	20.08.2014	20.08.2014	022- 25010161
2	Lorry Inspector	Shri. V.S. Patankar	С	07.02.2015	07.02.2015	022- 25010161
3	Lorry Inspector	Shri U.R.Patne	С	10.02.2014	10.02.2014	022- 25010161
4	Lorry Inspector	Shri P.U.Deore	С	28.09.2013	28.09.2013	022- 25010161
5	Lorry Inspector	P.K.Bhogate	С	09.02.2014	09.02.2014	022- 25010161

Section 4(i)(b)(x)

Details of remuneration of officers and employees in the office of Sr. Inspector (Encroachment) at 'N' ward

(Amount in Rs.)

Sr. No.	Name of the officer / employee	Designation	Basic Pay	DA	HRA	CLA	Special Allowance / Transport Allowance / Project Allowance	Total
1	Shri U.J. Sarmalkar	Sr. Inspector (Ench)	20980+4300	27050	7584			59914
	Shri V.S. Patankar	Lorry Inspector	14080+2800	18062	5064			40006
3	Shri U.R. Patne	Lorry Inspector	14560+2800	18575	5208			41143
4	Shri P.U. Deore	Lorry Inspector	16517+2800	20726	5811			45854
5	Shri P.K. Bhogate	Lorry Inspector	10450+2800	14178	3975			31403

Section 4(i)(b)(xi)

Details of allocation of budget and disbursement made in the office of Sr. Inspector(Encroachment)at 'N' ward for the year 2014-2015

* Publish copy of the budget

(in Rs.)

* Publish copy of grant distribution

Format A for current year

Sr. No.	Budget Head Description	Grant received	Planned use (Give details area-wise or work-wise in a separate form)	Remarks
	NIL	NIL	NIL	NIL

Section 4(i)(b)(xi)

Details of allocation of budget and disbursement made in the office of Sr. Inspector(Encroachment)at 'N' ward for the year 2014-2015

* Publish copy of the budget

(in Rs.)

* Publish copy of grant distribution

Format B for previous year

Sr.	Budget	Grant	Grants	Grants	Results
No.	Head	received	utilized	surrendered	
	NIL	NIL	NIL	NIL	NIL

Section 4(i)(b)(xii)

Manner of execution of subsidy programme in the office of Sr. Inspector (Encroachment) at 'N' ward

* Name of the Programme	NIL
* Eligibility of Beneficiary	NIL
*	NIL
* Year-wise list of beneficiaries in the format given	NIL
* Target (if any)	NIL
* Remarks	NIL

Section 4(i)(b)(xii)

Details of beneficiaries of subsidy programme in the office of Sr. Inspector (Encroachment) at 'N' ward

Name of the Scheme / Programme For the year 2014-2015

Sr. No.	Name & Address of Beneficiary	Amount of subsidy / concession sanctioned
	NIL	NIL

Section 4(i)(b)(xiii)

Particulars of recipients of concessions, permits or authorizations granted in the office of Sr. Inspector (Encroachment) at N ward

Type of Licence / Permission / Concession :

Sr. No.	Name of the Licences	Licence No.	lssued on	Valid upto	General Conditions	Details of the Licence		
	This information is available on MCGM's website <u>- www.mcgm.gov.in</u>							

Section 4(i)(b)(xiv)

Details of information available in Electronic Form in the office of Sr. Inspector (Encroachment) at 'N' ward

Sr. No.	Type of Document / File / Register	Sub-Topic	In which electronic format it is kept	Person incharge
			1) iTape	
			2) Film	
			3) C.D.	NIL
			4) Floppy	
			5) Any other	

Section 4(i)(b)(xv)

Particulars of the facilities available for citizens for obtaining information in the office of Sr. Inspector (Encroachment) at 'N' ward

Sr. No.	Type of facility	Timings	Procedure	Location	Person Incharge
1	Inspection of record under R.T.I.	3.00 p.m. to 5.00 p.m. on Tuesday & Thursday (Except Holidays) with prior appointment only	For inspection of records no fee for first hour will be charged. However, fee of Rs.5/- for each 15 minutes or fraction thereof will be charged thereafter.	Office of the Sr. Inspector (Ench), 'N' Ward Office Bldg. R.No./ 21, 2 nd floor, Jawahar Rd., Ghatkopar (East), Mumbai 400077.	Sr. Inspector (Ench), "N" Ward

Seotion 4(i)(b)

Details of Public Information Officers in the jurisdiction of (Public Authority) in the office of Sr. Inspector (Encroachment) at 'N' ward

P.I.O.

Α

Sr. No.	Name of P.I.O.	Designation	Jurisdiction as PIO under RTI	Address / Phone No.	Email id for purpose of RTI	Appellate Authority
1	Shri U.J. Sarmalkar	Sr. Inspector (Encroachment)	N Ward	25010161		Asst.M.C. 'N' Ward

Section 4(i)(b)(xvi)

Details of Asst. Public Information Officers in the jurisdiction of (Public Authority) in the office of Sr. Inspector (Encroachment) at 'N' ward

A.P.I.O.

В

Sr. No.	Name of A.P.I.O.	Designation	Jurisdiction as PIO under RTI	Address / Phone No.
-	-	-	-	-

Section 4(i)(b)(xvi)

Details of Appellate Authority in the jurisdiction of (Public Authority) in the office of Sr. Inspector (Encroachment) at 'N' ward

Appellate Authority

С

Sr. No.	Name of Appellate Authority	Designation	Jurisdiction as PIO under RTI	P.I.O. reporting	Email id for purpose of RTI
1	Shri Ajitkumar Ambee	Asst.M.C. 'N' Ward	N Ward	Shri U.J.Sarmalkar Sr. Inspector (Ench)	

Section 4(i)(b)(xvii)

Any other information of Public use

 NIL