



BRIHANMUMBAI MAHANAGARPALIKA

Section 4 Manuals as per provision of RTI Act 2005 of R/ North Ward

LEGAL DEPARTMENT CITY CIVIL COURT

Address -

Assistant Law Officer,
Legal Department, Room No.4,
Below Sudhir Phdake flyover bridge
Jaywant sawant Marg Dahisar (W)
Mumbai – 400 068.

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Introduction

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 provided 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 Assistant Law Officer , City Civil Court, R/North 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 Acts, 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 citizens & 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 Assistant Law Officer, R/North ward whose office is situated at R/North ward office, Room no.4, below Sudhir Phdake flyover bridge, Jaywant sawant Marg Dahisar (W), Mumbai – 400 068. The procedure and fee structure for getting information is as per the provisions of RTI Act, 2005.

The corporation has decentralized most of the main departments functioning at the city central level under Departmental Heads, and placed the relevant sections of these Departments under the Assistant Law Officer, City Civil Court is under administrative control of Assistant Commissioner.

**Assistant Law Officer
City Civil Court
R/North Ward**

SECTION 4 (1) (B) (i)

The particulars of functions & duties of the Office of Assistant Law Officer (City Civil Court)

| | | |
|----|------------------------------|---|
| 1 | Name of the Section | Shri Dadasaheb Shrimant Shingade, Asstt.Law Officer, City Civil Court, Dindoshi |
| 2 | Address | Assistant Law Officer, Legal Department, Room No.4, Below Sudhir Phdake flyover bridge Jaywant Sawant Marg Dahisar (W) Mumbai – 400 068. |
| 3 | Head of the office | Law Officer, Legal Department , Head Office, 2 nd floor, Room No.200, Mahapalika Marg, Mumbai- 400 001. |
| 4 | Office Timings | Monday to Friday, Saturday (1 st ,3 rd ,5 th) 10.30 a.m. to 5.30 p.m.. Visiting Hours - (Monday – Friday) 03.00 p.m. to 05.00 pm |
| 5 | Court Timings | 11.00 am to 6.00 pm |
| 6 | Contact Details | Telephone no : 2893600 Extn : 169 |
| 7 | Parent Government Department | Law Officer, Legal Department, Head Office, Mumbai |
| 8 | Reporting to which office | Assistant Commissioner, R/N Ward |
| 9 | Jurisdiction Geographical | R/North ward is bounded by the Shaikh Khadan to Hanuman Tekadi on the East, Ganpat Patil Nagar on West, N.L.Complex and Dahisar Check Naka to Kandarpada on North and Rajesh Compound and Savarpada to Devidas Lane on South side. |
| 10 | Vision | To disposal of court cases related to unauthorised construction and road widening. |
| 11 | Mission | To defend and dispose off the cases in favour of corporation. |
| 12 | Objectives | To represent the interest of corporation in the court of law. |
| 13 | Functions | 1.To attend the court daily and defend corporation, make endorsement on the brief to inform department the status of the court matter. 2.To inform Managing Clerk to prepare memos as per instructions written of brief in the respective matters and inform concerned department for smooth functioning. To inform managing clerk to entry in respective register. 3.To prepare Affidavit in reply, Written Statement, Evidence etc. in the court matters. 4.To attend meetings called by Law Officer, Jt.Law Office, Dy.Law Officer, Asstt.Commissioner, D.M.C's and Chairman of |

| | | |
|----|----------------|---|
| | | <p>Legal Committee and also Prabhag Samittee.</p> <p>5.To give monthly report to the superior regarding court matters.</p> <p>6.To give Legal Opinion in the court matters and files received from the various departments of R/N Ward.</p> <p>7.To take necessary steps to file appeals in Hon'ble High court on behalf of MCGM if matters goes against MCGM.</p> <p>8.Any other work assign by Higher Authority from time to time.</p> |
| 14 | Section Duties | <p>The matters wherein the corporation has issued the notices under section 314,351,354,354,of MMC Act 1888 and under section 53(1)& 55 of MRTP Act, section 3z(2) of Slum Act & matters pertains to Estate department, Licence Department, Water Works, Hospitals, MOH department etc.</p> <p>Notices Section 314 of MMC Act issued for the unauthorised structures which are constructed and situated on the Municipal road, foothpath and Municipal Plot.</p> <p>Notices under section 351 of MMC Act issued for the unauthorised structure which are found to be competed at the time of inspection.</p> <p>Notices under section 354 of MMC Act issued for the structures/ buildings which are found to be in dilapidated conditions.</p> <p>Notices under section 354 A of MMC Act issued for the unauthorised structures which are found to be in progress at the time of inspection.</p> <p>Notices under section 53(1) of MRTP Act issued for the unauthorised constructions/developments which is of permanent nature.</p> <p>Notices under section 55 of MRTP Act issued for the unauthorised structure/ developments which is off temporary natures.</p> <p>Notices under section 3z(2) of Slum Act issued for the unauthorised structures which are situated in the Slum area.</p> <p>Duties to prepare Affidavit in reply, Written Statement, Affidavit of Evidence, in all matters and to conduct the matters pertains to the above sections in the court of law. To take the cross examinations of the witness, to file the Affidavit of Evidence on behalf of Corporation to argue the matters. To give the Legal opinion in the court matters as well the files received from the various department of corporation, to attend meetings in respect of court matters, to give the reply to the applications received under RTI Act 2005 etc.</p> |

| | | |
|----|---|--|
| 15 | Details of services provided (In Brief) | NIL |
| 16 | Physical assets (Statement of lands & Buildings and other Assets) | NIL |
| 17 | Organization's structural Chart | NIL |
| 18 | Weekly Holidays | Saturday (2 nd & 4 th), Sunday and Public Holidays. |

SECTION 4 (1) (b) (ii)

The powers and duties of officers and employees in the office of Legal Department City Civil Court Section

Financial Powers

A

| Sr. No. | Designation | Powers-Financial | Under which legislation / rules / orders / GRs | Remarks |
|----------------|-----------------------|-------------------------|---|----------------|
| 1 | Assistant Law Officer | Nil | Nil | Nil |
| | | Nil | Nil | Nil |
| 2 | Office Superintendent | Nil | Nil | Not Applicable |
| 3 | Managing Clerk | Nil | Nil | Not Applicable |
| 4 | Clerk | Nil | Nil | Nil |

B

| Sr. No. | Designation | Powers Administrative | Under which legislation / rules / orders / GRs | Remarks |
|----------------|------------------------|------------------------------|---|--------------------|
| 1 | Assistant Law Officer | | | Refer to pg. No.11 |
| 2 | Officer Superintendent | Nil | Nil | Not Applicable |
| 3 | Managing Clerk | Nil | Nil | Not Applicable |
| 4 | Clerk | Nil | Nil | Nil |

C

| Sr. No. | Designation | Powers - Magisterial | Under which legislation / rules / orders / GRs | Remarks |
|----------------|------------------------|-----------------------------|---|----------------|
| 1 | Assistant Law Officer | Nil | Nil | Nil |
| 2 | Officer Superintendent | Nil | Nil | Not Applicable |
| 3 | Managing Clerk | Nil | Nil | Not Applicable |
| 4 | Clerk | Nil | Nil | Nil |

D

| Sr. No. | Designation | Powers- Quasi Judicial | Under which legislation / rules / orders / GRs | Remarks |
|----------------|------------------------|--|---|----------------|
| 1 | Assistant Law Officer | Appointed as Public Information Officer under RTI Act,2005 | | |
| 2 | Officer Superintendent | Nil | Nil | Not Applicable |
| 3 | Managing Clerk | Nil | Nil | Not Applicable |
| 4 | Clerk | Nil | Nil | Nil |

E

| Sr. No. | Designation | Powers - Judicial | Under which legislation / rules / orders / GRs | Remarks |
|----------------|------------------------|--------------------------|---|----------------|
| 1 | Assistant Law Officer | Nil | | |
| 2 | Officer Superintendent | Nil | | |
| 3 | Managing Clerk | Nil | | |
| 4 | Clerk | Nil | | |

Section 4 (1) (b) (ii)

The power of officers and employees in the office of Assistant Law Officer City Civil Court

Administrative Powers

ASSTT. LAW OFFICER (CITY CIVIL COURT)

Asstt. Law Officer (City Civil Court) of the ward is responsible to Asstt. Commissioner of the Ward and Zonal Dy. Municipal Commissioner for day-to-day work of the department in respect of Administrative and policy work and to represent the interest of corporation in the court of law. He has to attend the court everyday and defend corporation. To give the opinion in Legal matters.

Asstt. Law Officer (City Civil Court) of the ward is assisted by Clerk, and he/she is assisted by Peon and Labour of the department, to execute daily work.

Asstt. Law Officer (City Civil Court) of the Ward executes following duties/works from his staff working under his control:-

1. To attend the court daily and defend corporation, instruct managing clerk, clerk to sent daily board to the court for hearing, to check whether dates of respective court matters are carry forward in the daily board register.

2. To inform Managing Clerk to call respective officers alongwith instructions to prepare Affidavit, Written Statement, Evidence etc. in the court matters.

3. To inform Managing Clerk to prepare memos as per instructions written of brief in the respective matters and inform concerned department for smooth functioning. To inform managing clerk to entry in respective register.

4. To attend meetings called by Law Officer, Jt. Law Office, Dy. Law Officer, Asstt. Commissioner, D.M.C's and Chairman of Legal Committee and also Prabhag Samittee.

5. To give Legal Opinion in the court matters and files received from the various departments of R/N Ward.

6. To inform Managing clerk, Clerk to maintain Inward, Outward Register, RTI Register, Records, Stationery.

7. To inform managing clerk to give monthly reports regarding status of the matters to the superior officers.

8. To take necessary steps to improvement of department.

DELEGATION OF POWERS TO ASSISTANT LAW OFFICER

| Sections | Nature of Powers, Duties and Functions delegated |
|----------|---|
| 84 | (e) Grant Casual Leave to the inferior staff working under him upto the limit allowed by any rules for the time being in force. |

The duty list of the Asstt. Law Officer (City Civil Court) in Wards

1. The Asstt. Law Officer will report to Asstt. Commissioner respective Ward.
2. To attend the court daily and defend corporation, make endorsement on the brief to inform department the status of the court matter.
3. To inform Managing Clerk to prepare memos as per instructions written of brief in the respective matters and inform concerned department for smooth functioning. To inform managing clerk to entry in respective register.
4. To prepare Affidavit in reply, Written Statement, Evidence etc. in the court matters.
5. To attend meetings called by Law Officer, Jt.Law Office, Dy.Law Officer, Asstt.Commissioner, D.M.C's and Chairman of Legal Committee and also Prabhag Samittee.
6. To give monthly report to the superior regarding court matters.
- 7.** To give Legal Opinion in the court matters and files received from the various departments of R/North Ward.
- 8.** To take necessary steps to file appeal in Hon'ble High court on behalf of MCGM if matters goes against MCGM.
9. Any other work assign by Higher Authority from time to time.

Section 4 (1) (b) (iii)

The Procedure followed in the decision- making process, including channels of supervision and accountability in the office of Assistant Law Officer (City Civil Court)

----- NOT APPLICABLE -----

Section 4 (1) (b) (iv)

Norms set for discharge of its functions in the office of Assistant Law Officer (City Civil Court)

Organizational targets (Annual) = Nil

| Sr. No. | Designation | Activity | Financial Targets in Rs. | Time Limit | Remarks |
|----------------|--------------------|--------------------------------------|---|-------------------|----------------|
| 1. | Asstt. Law Officer | As mentioned in section 4 (1) b (ii) | There are no financial targets set for this department. As mentioned earlier the work is carried out on day to day basis. | | |

Section 4 (1) (b) (v)

The rules, regulation, instruction, manuals and records, held by it or under its control or used by the employees for discharging department functions

| Sr. No. | Subject | G.R. /Circular / Office order. Rule no. Notification etc. date. | Remarks if any |
|----------------|----------------|--|-----------------------|
| 1 | Office order | NIL | |
| | Rules | As per MMC Act | |
| | Regulations | Implementation of all Rules | |
| | Instructions | NIL | |
| | Manuals | NIL | |
| | Records | Outward & Inward Book | |

Section 4 (1) (b) (vi)

**Statement of categories of documents that are held and under the control of the office of
Asstt. Law Officer (City Civil Court)**

| Sr. No. | Subject | Type of Document file or register | File No. or Register No. Or Brief | Particulars | Periodicity of Preservation |
|-------------------------|--|--|--|---|------------------------------------|
| 'A' Class Record | | | | | |
| 1 | Suit of the party | Proceeding | 289 | Entire proceedings of the suit alongwith memos, action papers. | Permanent |
| 2 | Registers & records pertaining to court litigation | Registers | 27 | | Permanent |
| 3 | R.T.I. Register | File | 02 | Details of application received under R.T. I. Act | Permanent |
| 'B' Class Record | | | | | |
| 1 | In ward papers | Inward Register | 05 | Details of Application/complaints/ other documents received by department | 05 Year |
| 2 | Outward papers | Outward Register | 02 | Details of Applications/complaints/other forwarded to Internal departments of R/N ward. | 05 Year |

Details of Documents that are held under the control of the office of Assistant Law Officer City Civil Court are attached.

Section 4 (1) (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 Assistant Law Officer (City Civil Court) R/North Ward

| Sr. No. | Consultation for | Details of Mechanism | Under which legislation / rules / orders / GRs | Periodicity |
|---|-------------------------|-----------------------------|---|--------------------|
| Counsels opinion/Experts opinion | | | | |

Section 4 (1) (b) (viii)

A Statement of the boards, councils, committees and other bodies consisting of two or more persons constituted as its part or far the purpose of its advice, and as to whether meetings of those boards, councils, committees and other bodies are open to the public or the minutes of such meetings are accessible for public.

| Sr. No. | Name of the committee board / council / other bodies | Composition of committee Board council other bodies | Purpose of the committee Board/ Council/ other bodies | Frequency of meetings | Whether meeting open to public or not | Whether Minutes are available to public or not | Minutes available at. |
|---|---|--|--|------------------------------|--|---|------------------------------|
| Statement of Boards, Councils, Committees or Other bodies in the office of Assistant Law Officer City Civil Court R/N Ward. | | | | | | | |
| Nil | | | | | | | |

Section 4 (1) (b) (ix)

Directory of the officers and employees

| Sr. No. | Designation | Name of the Officers/ Employees | Cadre | Contact Details ph/ fax/ email |
|----------------|-----------------------|--|--------------|---------------------------------------|
| 1 | Assistant Law Officer | Shri. D.S. Shingade | B | 9967656373 |
| 2 | Clerk | Shri Babasaheb Parbale | C | - |

Section 4 (1) (b) (x)

The monthly remuneration received by each of its officers and employees including the system of compensation as provided in its regulations.

| Sr. No | Name | Designation Cadre | Basic Pay | DA | HRA | Special Allowance, Transport Allowance, Project Allowance | Total |
|---------------|------------------------|---------------------------------------|------------------|-----------|------------|--|--------------|
| 1 | Shri. D.S. Shingade | Asstt. Law Officer (City Civil Court) | 18950 + 4800 | 25413 | 7125 | 1863 | 58151 |
| 2 | Shri. Babasaheb Parble | Clerk | 8130+1900 | 10732 | 3009 | 800 | 24571 |

Section 4 (1) (b) (xi)

The Budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursement made.

| Sr. No. | Budget Head description | Grants received | Planned use (give details area wise or work wise in a separate form) | Remarks |
|---|--------------------------------|------------------------|--|----------------|
| Details of allocation of budget and disbursement made I the office of Assistant Law officer at R/N ward for the year 2013-2014. | | | | |

Form B for previous year

| Sr. No. | Budget Head description | Grants received | Grant utilized | Grants Surrendered | Result |
|----------------|--------------------------------|------------------------|-----------------------|---------------------------|---------------|
| | | | | | |
| Nil | | | | | |
| | | | | | |

Section 4 (1) (b) (xii)

The manner of execution of subsidy programs, including the amounts allocated and the details of beneficiaries of such programs.

| Sr. No. | Name and Address of Beneficiary | Amount of Subsidy / Concession Sanctioned |
|----------------|--|--|
| | Nil | Nil |

Section 4 (1) (b) (xiii)

The particulars of recipients of concession, permits or authorisations granted by department.

| Sr. No. | Name of the license | License no. | Issued on | Valid up to | General Conditions | Details of the license |
|----------------|----------------------------|--------------------|------------------|--------------------|---------------------------|-------------------------------|
| | Nil | | | | | |

Section 4 (1) (b) (xiv)

Details in respect of the information available to or held by it, reduced in an electronic form.

| Sr. No. | Type of Documents File/ Register | Sub Topic | In which Electronic Format it is kept | Person In Charge |
|----------------|---|------------------|--|-------------------------|
| Nil | | | | |

Section 4 (1) (b) (xv)

The particulars of facilities available to citizens for obtaining information including the working hours of a library or reading room

| Sr. No. | Type of Facility | Timings | Procedure | Location | Person In Charge |
|----------------|------------------------------------|---|---------------------------------|---|----------------------------|
| 1 | Inspection of Record as per to RTI | 3.00 p.m. To 5.00P.m. Tuesday Thursday With prior appointment only | RTI Payment pay previous day | Office of:- Asstt.Law Officer R/North Ward, Room No.4, Below Sudhir Phadke Flyover Bridge, Jaywant Sawant Marg, Dahisar (W),.Mum-68 | Asstt. Law Officer R/North |
| | Library and Reading Room | Not Available | Not Available | Not Available | Not Available |

Section 4 (1) (b) (xvi)

The names, designations and other particulars of the Public Information Officers PIO

| Sr. No. | Name of PIO | Designation | Jurisdiction as PIO under RTI | Address / Ph. No. | E mail id for purpose of RTI | Appellate authority |
|---------|---------------------|--|-------------------------------|-------------------|------------------------------|---|
| 1. | Shri. D.S. Shingade | A.sstt. Law Officer (City Civil Court) | R/North Ward | 9967656373 | | Shri Santoshkumar Dhonde Assistant Commissioner R/N ward, Legal Department, Room No.4, Below Sudhir Phdake flyover bridge Jaywant Sawant Marg Dahisar (W) Mumbai – 400 068. |

APIOs

| Sr. No. | Name of APIO | Designation | Jurisdiction as APIO under RTI | Address / Ph no. |
|---------|--------------|-------------|--------------------------------|------------------|
| 1 | NA | | | |

Appellate Authority

| Sr. No. | Name of Appellate Authority | Designation | Jurisdiction as Appellate authority | PIO Reporting | E mail id for purpose of RTI |
|---------|-----------------------------|------------------------|-------------------------------------|---------------|------------------------------|
| 1. | Shri Santoshkumar Dhonde | Assistant Commissioner | R/North | ALO | |

Section 4 (1) (b) (xvii) – Others

Such other information as may be prescribed