



BRIHANMUMBAI MAHANAGARPALIKA

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

LEGAL DEPARTMENT CITY CIVIL COURT

Address - Assistant Law Officer,
City Civil Court, Ground Floor,
CFC, S Ward Building,
Near Mangatram Petrol Pump,
LBS Marg, Bhandup (W),
Mumbai – 400 078

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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, CFC, Ground Floor, S Ward Building, LBS Marg, Bhandup (W), Mumbai 78 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 , City Civil Court, CFC, Ground Floor, S Ward Building, LBS Marg, Bhandup (W), Mumbai 78. 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
'S' 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	Smt. Smita Vijay Tondwalkar, Asstt.Law Officer-I, City Civil Court
2	Address	Assistant Law Officer, City Civil Court, CFC, Ground Floor, S Ward Building, LBS Marg, Bhandup (W), Mumbai 78
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 : 25947571 Extn : 227 Email Asstt.Law Officer-
7	Parent Government Department	Law Officer, Legal Department, Head Office, Mumbai
8	Reporting to which office	Assistant Commissioner, S Ward
9	Jurisdiction Geographical	S ward
10	Vision	To disposal of court cases related to unauthorised construction.
11	Mission	To defend and dispose off the cases against the 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 Legal Committee.

		<p>5.To give monthly report to the superior regarding court matters.</p> <p>6.To give Legal Opinion in the court matters.</p> <p>7.To take necessary steps to file matters 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, footpath and Municipal Plot.</p> <p>Notices under section 351 of MMC Act issued for the unauthorised structure which are found to be completed 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	NIL

	other Assets)	
17	Organization's structural Chart	NIL
18	Weekly Holidays	Saturday (2 nd & 4 th), Sunday and Public Holidays.

BRIHANMUMBAI MAHANAGARPALIKA
Assistant Law Officer City Civil Court
Ward
Asst. Commissioner

|
Assistant Law Officer (City Civil Court)

|
Mg. Clerk

|
Clerk

|
Labour

Department – City Civil Court				
Sr. No.	Post	Scheduled Post	Occupied	Vacant
1	Assistant Law Officer	1	1	-
2	Office Superintendent	-	-	-
3	Managing Clerk	1	1	-
4	Clerk	1	-	1
5	Clerk Cum Typist	-	-	-
6	Peon	-	-	-
7	Labour	2	2	-

Pay Sheet No.	Designation	Total Post		Occupied Post		Vacant Post	
		Schedule Post	Non Schedule Post	Schedule Post	Non Schedule Post	Schedule Post	Non Schedule Post
	ASST.LAW OFFICER		1	-	-	-	-
	OFFICE SUPERINTENDENT	-	-	-	-	-	-
	MANAGING CLERK	1	-	1	-	-	-
	CLERK	1	-	-	-	1	-
	CLERK CUM TYPIST	-	-	-	-	-	-
	LABOUR	2	-	-	-	-	-

Legal Department – City Civil Court Section

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	Nil
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.17
2	Officer Superintendent	Nil	Nil	Not Applicable
3	Managing Clerk	Nil	Nil	Nil
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	Nil
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	Nil
4	Clerk	Nil	Nil	Nil

E

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

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.**
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.
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 F/South Ward.
8. To take necessary steps to file matters 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	DMC/Env. S.W.M./4345/ dt.16.03.2006	
	Rules	As per MMC Act 365 - 481	
	Regulations	Implementation of all Rules related to SWM Section	
	Instructions	NIL	
	Manuals	Please refer Manual No. 17	
	Records	Outward & Inward Book and Log Sheet	

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.	Particulars	Periodicity of Preservation
		A			Permanent
		B			30Years
		C2			15Years
		C1			10Years
		C			5Years
		D			1Year

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) 'T' Ward

Sr. No.	Consultation for	Details of Mechanism	Under which legislation / rules / orders / GRs	Periodicity
NOT APPLICABLE				

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 for 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.
NOT APPLICABLE							

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	Smt. Smita Vijay Tondwalkar		

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	Smt. Smita Vijay Tondwalkar	Asstt. Law Officer (City Civil Court)	15650+4800	23622	5955	600	53811
2	Smt. Snehal G. Kirtikar	Managing Clerk	16760	26200	6288	600	54273

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
Not Applicable				

Form B for previous year

Sr. No.	Budget Head description	Grants received	Grant utilized	Grants Surrendered	Result
Not Applicable					

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 authorizations granted by department.

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

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
-	-	-	-	-

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 T Ward, Lala Devi Dayal Road, Panch Rasta, Mulund (W), Mum-80	Asstt. Law Officer T Ward
2	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.	Smt. Smita Vijay Tondwalkar	A.sstt. Law Officer (City Civil Court)	S Ward	9226372417		Asst. Commissioner ' S ' Ward Office, Near Mangatram Petrol Pump, LBS Marg, Bhandup (W), Mumbai 78

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.	Asst. Commissioner ' S ' Ward	Asst. Commissioner	S Ward	ALO	alogr1.legal@mcgm.gov.in

Section 4 (1) (b) (xvii) – Others

Such other information as may be prescribed