

17 Manuals
Encroachment dept C ward
Introduction

Upto 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, the State Govt. of Maharashtra formulated "Model Byelaws" 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 Byelaws" 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 Byelaws" of the State Govt. suggestions / objections on Byelaws have been invited from the citizens of Mumbai, Hawkers Unions other Institutes and other concerned by giving Press Note and the scrutiny thereof is completed. Hearing on suggestions / objections is to be accorded by the Hon'ble Mayor and necessary changes will be incorporated in the Byelaws after hearing the suggestions / objections and will be placed again before the Corporation for sanction. On receipt of the Corporation's sanction, these byelaws 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. The following act of

parliament received the assent of the president on the 4th March 2014 and is hereby published for general information. The street vendors (protection of livelihood and regulation of street vendor) Act 2014 come into force w.e.f. 1st May 2014.

Section 4 (i) (b) (i)

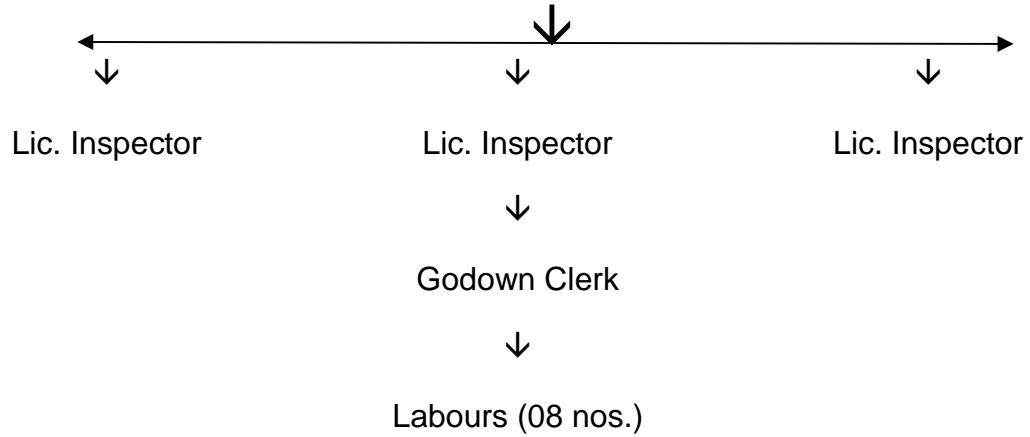
The particulars of functions & duties of the public authority:-

1.	Name of Public Authority	Sr. Inspector (Encroachment) & Lorry Inspectors
2.	Address	1 st floor, Licence Dept C Ward office Bldg, 76 Shrikant Palekar Marg Chandanwadi Mumbai:- 400002.
3.	Head of the Office	Sr. Inspector (Encroachment)
4.	Parent Govt. Deptt.	Superintendent of Licences
5.	Reporting to which Office	Assistant Commissioner C ward
6.	Jurisdiction Geographical	<p>C ward is bounded by</p> <p>East : Trimbak Parshuram Street, Ardeshir Dadi Street, V.P.Road, Babasahab Jaykar Marg.</p> <p>West : IbrahimRahimtulla Marg, Abdul Rehman Marg</p> <p>North : Bomanji Behram Road, Aurtherroad Tardeo Road , Keshavrao Khade Road</p> <p>South : Lokmanya Tilak Marg , Anandilal Poddar Marg</p> <p>Area : 1.72 km</p>
7.	Mission	<ol style="list-style-type: none"> 1. To remove encroachment of u/a hawkers on Mun. Footpath and road 2. Remove u/a banners & boards on Mun road & footpath
8.	Vision	To keep Mun. Roads, Footpaths free form u/a hawkers
9.	Objectives	The street venders (protection of livelihood and regulation of street vender) Act 2014 come into force w.e.f. 1 st May 2014. Hence action is taken against u / a hawkers as per the act

10.	Functions	<ol style="list-style-type: none"> 1. To carry out the Public Auction Sale of unclaimed non perishable goods within specific time limit. 2. 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. 3. To deposit the gas LPG cylinders seized during the ER action in Deonar godown . 4. To keep record of Banners, Posters, Boards, Glow Signed Boards etc. removed / seized during the removal action. 5. Submit reports of Handcarts seized removal of Eatable Hawkers, Tobacco selling actions near educational Institutes, complaint received & disposal during the week & month. 6. Reply of all complaints and MCL/C, MCL/A B Complaints from M.C's Office. 7. Reply of RTI Applications 8. Submission of reports to Higher authorities
11.	Details of Services Provided	Taking action against u/a hawkers as per complaints from citizens .
12.	Physical Assets	NIL
13.	Organization's Structural Chart	Given below
14.	Tel. No. & Office Timing	<p>Tel No:- 022 22014022 Ext:- 212</p> <p>Office Timing:- 8.30 AM to 12.30 PM and 3.00 pm to 5.00 pm (Monday to Friday) & 8:30 AM to 12:00 PM Saturdays</p>
15.	Weekly Holidays	Sunday & Public Holidays

Organization's Structural Chart

Sr. Inspector (Encroachment)



Section 4 (i) (b) (ii)

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

A

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

B

Sr No	Designation	Powers Administrative	Under which legislation/rules/orders/ & Rs.	Remarks
1.	Sr. Inspector (Ench)	To grant leave of labour staff	MMC Act, 1888	
2.	Lorry Inspector	-	-	

C

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

D

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

E

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.)

1. To attend auction sales.
2. For unauthorized encroachments, hawkers. To give orders to Lorry Inspector for taking action.
3. They are responsible for proper arrangements of vehicles, equipments on Roads/ footpath etc. and regular marking of muster rolls of Lorry Inspector and labour staff under them.
4. They are responsible for prompt removal of unauthorized encroachments from Public Street by supervising the encroachment removal work of the Lorry Inspectors.
5. They have to follow instructions / directions as per The street vendors (protection of livelihood and regulation of street vender) Act 2014 and orders of A.C . C ward / S.L. / D.M.C. / A.M.C. (City)
6. To reply to the applications received under Right To Information Act 2005.
7. To reply to the complaints received from citizens .

- 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.
7. 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) C 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 :-

EXPLANATION :- 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 under section, other general duties prescribed above are vis-à-vis applicable to the Senior Inspectors in charge of encroachment removal.
2	For unauthorized encroachment, hawkers, Senior Inspector is expected to take rigorous actions.
3	They are responsible for proper arrangements of vehicles, equipments on Roads/ footpath etc and regular marking of muster rolls of lorry inspector, labour staff under them.
4	They are responsible for prompt removal of unauthorized encroachments from Public Street by supervising the encroachment removal work of the Lorry Inspectors.
5	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.
6	To reply to the applications received under Right To Information Act 2005.
7	They have to follow instructions /direction as per The street vendors (protection of livelihood and regulation of street vendor) Act 2014 and order of AC C/ SL/DMC/AMC (City.).

	<p>with other deptt., if necessary</p> <p>1) To take ench.remove action against unauthorized hawkers & keep the areas under his jurisdiction clean. keep roads & footpaths hawkers free.</p> <p>2) The goods seized during the ench. removal action are deposited in a ench. godown daily.</p> <p>3) All goods seized during the ench.remove action are properly weighed & entered into the registered before redemption</p> <p>4) To relese the perisheble goods after one day by public auction sale</p> <p>5) To relese the non perisheble goods with proper redemption charges/dambriges as per shedule</p> <p>6) To arrange & attend the public auction sale for unclaimed non perishable goods</p>	<p>days</p> <p>7 days</p> <p>1 to 7days</p>	<p>Lorry Inspector</p> <p>Godown clerk</p> <p>Godown Clerk</p> <p>Sr.Inspector</p> <p>Lorry Inspector</p> <p>Godown Clerk</p> <p>Lorry Inspector</p> <p>Godown Clerk</p>	
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		<p>7) To maintain separate register to enter complaints received regarding ER action</p> <p>8) To keep record of plastic carry bags</p>		<p>Lorry Inspector Godown Clerk</p>	
2	Removal of Advt.boards/ banners	<p>1) To remove unauthorized boards/banners etc.daily with help of advt.inspector</p> <p>2) To keep all record of removal unauthorised boards/banners in redemption register.</p>	<p>Within 24 Hours</p>	<p>Lorry Inspector</p>	

Section 4(i)(b)(iv)

**Norms set for discharge of its functions in the office of Sr. Inspector
(Encroachment) at C 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

Sr. Inspector (Encroachment)

Sr. No.	Subject	G.R. /Circular / Office order. Rule no. Notification etc. date.	Remarks if any
1	Redemption charges	SL/ 10 of 2011-12	
2	Auction sale	SL/ 12 of 2011-12	

Section 4 (1) (b) (vi)

Statement of Categories of documents held in the office of Sr. Inspector (Encroachment), C Ward

Sr No	Subject	Type of Document/ file or register	File No. or Register No.	Particulars	Periodicity of Preservation
1	Redemption Register	register		Entries of seized goods with redemption charges	10 years
2	Auction sale file	File		Public auction sale of Non perishable unclaimed goods	10 years
3	Remittance book	Book		Particulars of payment	10 years
4	Remittance receipt	File		Acknowledgement of remittance charges	10 years
5	R T I Register	Register		Reply to party	10 years
6	Complaints register	Register		Written complaints	5 years
7	Muster Roll & Effective report	Register and File		Daily & Monthly attendance	Permanent
8	Private vehicle tender file	File		Periodical tender of Pvt. Vehicle for Ench.	5 years
9	Plastic seized report book	File		Plastic carry bags report	5 years
10	Establishment 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 C ward

Sr. No.	Consultation for	Details of the mechanism	Under which Act / Rule / Circular	Periodicity
	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	Whether Minutes are available to public or not	Minutes available 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 C Ward	Contact details (Phone / Fax / Email)
1	Sr. Inspector (Encroachment)	Smt Janhavi.S.Rane	B	09.7.2012	11.07.2012	022-22014022
2	Lorry Inspector	Smt.L. A. Paste	C	08.01.2015	18.04.2016	022-22014022
3	Lorry Inspector	Shri D. G. Kumbhar	C	25.05.2010	12.04.2016	022-22014022
4	Lorry Inspector	Shri Zahir A. Shaikh	C	10.04.2012	18.04.2016	022-22014022
5	Godown Clerk	Shri Dadasaheb Gavhane	C	12.01.2016	12.01.2016	022-22014022

Section 4(i)(b)(x)

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

(Amount in Rs.)

Sr. No.	Name of the officer / employee	Designation	Basic Pay	DA	HRA	CA & TA	Special Allowance / Transport Allowance / Project Allowance	Total
1	Smt J S Rane	Sr. Inspector (Ench)	18770+4300	27453	6921	1063	-	58507
2	Smt.L. A. Paste	Lorry Inspector	10530+2800	15863	3990	600	-	33783
3	Shri D. G. Kumbhar	Lorry Inspector	14110+2800	20123	5073	600	-	42706
4	Shri Zahir A. Shaikh	Lorry Inspector	14050+2800	20052	5055	600	-	42557
5	Shri Dadasaheb Gavhane	Godown Clerk	7260 + 2000	11019	2778	600	-	23657

Section 4(i)(b)(xi)

Details of allocation of budget and disbursement made in the office of Sr. Inspector(Encroachment)at C ward for the year 2016- 2017

- * 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 C ward for the year 2016-2017**

* Publish copy of the budget

(in Rs.)

* Publish copy of grant distribution

Format B for previous year

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

Section 4(i)(b)(xii)

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

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

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

Name of the Scheme / Programme For the year 2016-2017

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) C ward

Type of Licence / Permission / Concession :

Sr. No.	Name of the Licences	Licence No.	Issued on	Valid upto	General Conditions	Details of the Licence
NIL						

Section 4(i)(b)(xiv)

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

NIL

Section 4(i)(b)(xv)

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

Sr. No.	Type of facility	Timings	Procedure	Location	Person Incharge
1	Inspection of record under R.T.I.	On Wednesday between 11.00 am to 01.00 pm	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), "C" Ward Office Building, 1st Floor,Licence dept,76 Shrikant Palekar Marg,Chandanwadi Mumbai 400002.	Sr. Inspector (Ench), "C" Ward

Section 4(i)(b)(xvi)

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

P.I.O.

A

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	Smt J. S. Rane	Sr. Inspector (Encroachment)	C Ward	22014022	-	Asst.M.C. C 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 F/south ward

A.P.I.O.

B

Sr. No.	Name of A.P.I.O.	Designation	Jurisdiction as PIO under RTI	Address / Phone No.
1	Smt.L. A. Paste	Lorry Inspector	C-Ward	1st floor, Licence Dept C Ward office Bldg, 76 Shrikant Palekar Marg Chandanwadi Mumbai:- 400002. Ph. No.: 22014022 Extension: 212
2	Shri D. G. Kumbhar	Lorry Inspector	C-Ward	As above.
3	Shri Zahir A. Shaikh	Lorry Inspector	C-Ward	As above.
4	Shri D.M. Gavhane	Godown Clerk	C-Ward	As above.

Section 4(i)(b)(xvi)

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

Appellate Authority

Sr. No.	Name of Appellate Authority	Designation	Jurisdiction as PIO under RTI	P.I.O. reporting	Email id for purpose of RTI
1	Shri Satyaprakash Singh	Assistant Commissioner, C -Ward	C Ward	Smt J S Rane Sr. Inspector (Ench)	

Section 4(i)(b)(xvii)

Any other information of Public use

N I L