

GOVERNMENT OF TELANGANA
OFFICE OF THE DISTRICT COLLECTOR, NIRMAL DISTRICT

CIRCULAR

Cir.No.H/877/2017

Dt:29.07.2017

1. The grievance cell/ Grievances day is conducted on every Monday in collectorate to receive and address the Grievances of Citizens of the District.
2. The Grievances forum receives and addresses grievances pertaining to various Departments functioning in the District.
3. Instances have come to the notice, that the private parties are using the grievance forum for filing petitions which are related to Land disputes as General Grievance Petitions. Oftentimes petitions are also filed against the Quasi Judicial proceedings/orders taken up under the authority of specific statutes by the Sub Ordinate Officers like Tahsildars/ RDOs etc., especially in Revenue Department. These petitioners expect that these informal petitions are to be treated as appeals/ revisions filed under the statutes.
4. Whenever a relevant Statute and Rules framed under that prescribes procedures for adjudicating disputes, appeal or revision, about a subject, such petitions have to be filed before the competent authority having the Jurisdiction of the Subject matter, within the time limit applicable, adhering to the format as mandated by the statute and rules.
5. Especially, when a petition comes under the Purview of the A.P. Rights in Land and Pattadar Pass Books Act 1971 & AP Survey and Boundaries Act, 1924, needless to mention, such petitions have to be dealt in accordance with act and rules & within the time limit. The petition has to be filed in the prescribed format before the competent officer vested with the authority.
6. Whenever, quasi judicial proceedings are being taken up by the competent authority with the jurisdiction conferred under statute. There will invariably be an appellate provision under the statute providing the facility to the aggrieved parties to agitate their grievance as appeals.
7. Any petition that is not submitted to the Competent Authority (Deputy Tahsildhar, Tahsildhar, RDO, JC, and Collector as the case may be) without clearly mentioning the Jurisdiction & not adhering to the Provisions of the relevant acts, not adhering to the time limits prescribed, cannot be entertained and acted upon, although it is submitted as Grievance Petitions. Such Petitions are liable to be returned on the point of Jurisdiction, bar of time limit, or not in the prescribed format, as the case may be.

8. It is important to note that, it is the responsibility of the Petitioners to apply before the competent authority that has the jurisdiction over the subject. Such petition pertaining to the revenue department, must clearly mention the Jurisdiction, relevant Statutes/Rules that are invoked in that petition, and also within the time limit prescribed.
9. A model format is also prescribed and annexed to this circular for filing Revenue Petitions. In Revenue Department, any Grievance petition, that necessitates exercise of *quasi judicial* power, if not submitted as detailed above, shall not be acted upon. Such defective petitions are liable to be returned.

10. The Grievance Petitions which pertains to the Revenue Department (Land Administration) first have to scrutinized for Jurisdiction, Bar of time Limitation, and format requirements. If it falls within the Jurisdiction of the officer, within the applicable limitation period, adhering to the prescribed format, then only it must be numbered and adjudicated as revenue petitions as prescribed by law. In all other cases, it must be returned to the petitioner, for want of Jurisdiction/Time barred/not in the prescribed format as the case may be.
The grievances received in the collectorate, shall not be forwarded habitually to Revenue divisional officers, Tahsildhars without scrutiny for jurisdiction, Bar of time, format requirements. If the petitions fail in any of the three requirements mentioned above, must be returned to petitioner on the Point of Jurisdiction/Time barred/not in the prescribed format as the case may be.

11. These instructions, at any point of time, do NOT supersede the instructions, if any, issued by CCLA/Government/any Statute/Rule. If any dispute arises, then the CCLA /Government order/Provision of law and rule controls the situation.

District Collector
Nirmal District

To
All the RDOs of Nirmal District.
All the Tahsildars of Nirmal District.

Whenever any statute or rule or CCLA instruction does not prescribe a specific format, the following format shall be adhered to for filing Revenue Petitions.

How to write complaint/Petition

Contents of the petition must be sworn declaration/affidavit as applicable.

Step 1: Legal paper.

Complaint must be written on Legal paper. Legal paper is Legal sized (8.5 x 11”) paper.

Step 2: Format your complaint.

Complaints may be typed or handwritten. If handwritten, the writing must be legible. By following the instructions below, you will comply with the format requirement.

- 1) Font and margins: 14 pt size font (suggested fonts: Times new roman or Arial); 1 inch margins.
- 2) Line 3 or below: Type the name of the court/ office/Competent Authority. On the next line, write the district name.
- 3) Party name: Below the name of the court/ office/Competent officer and district, write the names of the plaintiff and the defendants (or) complainant and the defendants. Their full address, Postal Pin Number, Contact Number.
- 4) Case number: _____ the case number goes to the right of the party names. Once the petitioner gets a case number, you should include that number on every subsequent document filed in the matter.
- 5) Text of complaint with numbered paragraphs: This is the main part of the complaint, in which the facts and legal claims asserted by are to be written. This part must be 1.5 or double-spaced, and each paragraph must be numbered.
- 6) Date and signature: The date of when the petitioner finished writing his complaint, the date, his signature and name be written.
- 7) Footer and page numbers: Type “complaint/Petition” in the footer portion of your document. Be sure to number every page.

Step 3: Drafting the complaint/ petition.

The complaint should include the following sections.

- Jurisdiction: Explain why this court/officer has Jurisdiction in this matter. Kindly refer the relevant rule which confers such a jurisdiction.

Applicable law under which remedy is sought:-

- Cause of action: Explain why you are filing the petition in this court/office.
- Parties: Identify the plaintiff and defendants in the case.
- Statement of facts: Explain the relevant facts of your case.
- Claims: List legal claims
- Request for relief/remedy: Explain what petitioner would like the court / office to do.

Optional section include:

- Exhibits: If petitioner refers to any photos, letters, or other documents in the complaint, he must attach them at the end of the complaint and label them “Exhibit A”, “Exhibit B”, and so on. Petitioner can “Label” a document “Exhibit A” by placing a tabbed page that says “Exhibit A” in front of that document. It is best to use tabs so that the court/office can easily find the exhibits. (All photo copies must be self attested duly stating that is certified to be a true Copy.

What to write in each section.

I. Jurisdiction.

In this section, petitioner will state about the subject matter jurisdiction over his case. The petitioner shall explain clearly which law/rule/executive instruction confers jurisdiction of this subject matter to this court/office

II. Bar of time limitation

The petition must explain why his/her petition is well within the time limit and not affected by bar of time limitation as per applicable statutes/Rules.

III. Parties:

Explain who in the petitioner are and who the defendant is. One way to identify parties is to write their full name and address and other information so that the reader can understand each party’s relationship to petitioner claims.

IV. Statement of Facts.

In this section, the petitioner shall write a summary of the facts relevant to him. Be sure to include all of the relevant facts so that the reader will understand what happened and how those incidents were a violation of law or legal obligation. Stating a conclusion, such as “The defendant violated my rights”, is not enough. Petitioner must explain how the defendant had violated their legal rights. It is important for the petitioner to be familiar with the elements of each cause of action or legal claim petitioner are raising in his complaint because you must include facts that satisfy those elements.

If petitioner refers to a document in the statement of facts, he should be sure to cite the document as an exhibit and attach that document at the end of your complaint. If the photocopy of the document is attached, the petitioner must certify that it is a true copy of the original.

V. Claims.

After listing all facts, petitioner should list his legal claims (also called “causes of action”). This is the section in which petitioner allege that the defendant violated laws or legal obligations. Petitioner must identify the source of that law or legal obligation. For example, if the defendant violated a statute/rule/executive instruction, cite the statute/rule/executive instruction.

VI. Request for relief/ Remedies:

The term relief refers to solutions or remedies that the court is able to provide. In this section, the petitioner has to write what he would like the court to do about his situation. List each request under a different paragraph with a different number.

General Reminders:

- Be sure to start each section in your complaint with the appropriate headings (Jurisdiction, Parties, Statement of Facts, claims, Request for relief).
- Number each page and each paragraph.
- Label any documents you would like the court to see as exhibits and attach them at the end of your complaint. Use tabbed pages to label the exhibits. Refer to the exhibits in your complaint.

Step 4: Turn your complaint in.

Once petitioner has drafted his complaint, he must turn it into the Inward section. The Inward section cannot help you write your complaint or give any legal advice. If petitioner has questions, please consult a lawyer/ alternatively you may see District Legal Services Authority for free Legal advice.

The petitioner will need to turn in one original and two copies of his complaint.

District Collector
Nirmal