

MAHARAHSTRA WATER RESOURCES REGULATORY AUTHORITY

**Minutes of 02/2021 Authority Meeting
12th August 2021, Time: 3.00 P.M**

The Following Members attended the meeting:-

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|-----|-----------------------|--------------------|
| i. | Shri. Sanjay Kulkarni | Member (WRE) |
| ii. | Mrs. Shwetal Thakre | Member (Economics) |

Other Officers:-

- | | | |
|------|--------------------------|------------------------|
| i. | Dr. Ramnath Sonawane | Secretary |
| ii. | Shri. Prashant Borase | Director |
| iii. | Shri. Rohan Sodal | Dy. Director |
| iv. | Shri. Arunkumar Kalkhair | Administrative Officer |

Mrs. Shwetal Thakare, Member (Economics) proposed Shri. Sanjay Kulkarni Member (WRE) to chair the meeting in accordance with the provisions of section 9 (2) of MWRRA Act, 2005 read with regulation 9 (5) of MWRRA (Conduct of Business) Regulations 2013. The Secretary welcomed all the members present in the meeting.

With the permission of the chair, the meeting commenced to take up the following agenda items which were discussed and deliberated.

ITEM NO. 1

To confirm the minutes of the previous 01/21 Authority meeting held on 07/01/2021.

The minutes of 01/21 Authority Meeting were circulated by the Secretary for the comments of the Members presents in the said meeting. Hon'ble Members suggested certain corrections and the corrected minutes have been put up before us for confirmation. However, Member (Economics) pointed out certain errors/mistakes in the statements of Accounts for the Financial year 2017-18, 2018-19 and 2019-20 and suggested that the Statements of Accounts need to be reviewed by another CA Firm and resubmitted before the Authority for adoption. In view of this suggestion Hon'ble Chairperson directed Accounts Officer and the Secretary to get the Statements of Accounts reviewed and if need be, revised. He suggested that the revised Statements of Accounts be resubmitted for adoption by the Authority. The secretary also brought to our notice that,

Resolution no. 101 has not been implemented for want of confirmation since there is no provision in the Act or Regulations about the deemed confirmation.

In view of this fact, Resolution no. 101 passed by the Authority in 01/21 Meeting cannot be confirmed at this stage. Rest of the minutes of 01/21 meeting are hereby confirmed.

ITEM NO. 2

Adoption of GR-

- a. GAD's GR dtd. 06/07/2021.
- b. WRD's GR dtd. 16/07/2021.

Resolution No. 105

- A. The GR No. BCC-2021/letter no.387/16 B (A) with regard to the roaster for direct recruitment is adopted by the Authority and the secretary is directed to prepare the roaster for various cadres and obtain approval of the appropriate authorities in accordance with the prevailing rules and regulations and thereafter initiate the process of recruitment to the vacant posts.
- B. GR No. Jalniti-2019/letter no. 21/17/Jalsampada (Niyojan) dtd. 05 September, 2019. The Authority has gone through the amendments made to Paragraph 4 of the Water Policy. The amended Water Policy shall henceforth be considered while taking decisions / giving approvals under section 11(f) of the MWRRA Act, 2005.

ITEM No. 3

Correspondence received from WRD letter dated 16/03/2021 for perusal and further action.

Resolution No. 106

Authority has gone through the contentious issues mentioned in Letter no. MWRRA-2021/22/letr. No.04/Jalsampada (Niyojan). With regard to the issue of quorum for the meeting, both the present Members of the Authority are of considered opinion that the effective strength of the Authority on the date of said meeting and subsequent meetings and even today's meeting is two and as such when these two members remain present and unanimously decide the subject matter, it is absolutely legal

in view of the provisions contained in Section 10 of the MWRRA Act, 2005 read with regulation 10 of MWRRA (Conduct of Business) Regulations 2013.

With regard to the another issue about giving additional charge of Member (Ground Water) to Member (Law), the Authority agrees with the contention and assures that such kind of thing will not be done in future. The Secretary is directed to give reply to WRD in accordance with above deliberations and decisions of the Authority.

ITEM No. 4

कोविड -19 ची बाधा झालेल्या महाराष्ट्र जलसंपत्ती नियमन प्राधिकरणातील अधिकारी/-कर्मचा-यांच्या अनुपस्थितीचा कालावधी नियमित करणेबाबत.

The Authority has gone through the proposal submitted by the Secretary. In view of the provisions contained in Regulation 20 (5) of Maharashtra Water Resources Regulatory Authority (Recruitment & Conditions of Service of Employees) Regulation 2013, the employees appointed on contract basis have been facing some hardships regarding leave entitlement. Some of the employees had been suffering from COVID-19 and they had to be hospitalized. Even after getting cured, a person has to be quarantined for a period of 14 days as per the guidelines issued by Indian Council of Medical Research (ICMR) and the Central and State Governments. Therefore, this quarantine period is also required to be considered as leave on medical grounds. The period of hospitalization and subsequent quarantine exceeds the leave entitlements of some employees who had suffered from COVID-19. In the first year of employment on contractual basis, an employee is entitled only for 10 days of earned leave and in the second year of contract an employee is entitled for only 20 days of earned leave. In exceptional circumstances, if employee is required to be hospitalized, he/she is entitled for additional 10 days of earned leave. The Secretary brought it to our notice that even this additional leave is also inadequate. COVID-19 is an exceptional circumstances and in view of such circumstances the Authority may exercise its discretionary powers and extend additional leave facility beyond a period of 10 days. The Authority considered the proposal submitted by secretary and decided that the hardships faced by various employees working on contractual basis need to be considered sympathetically.

Resolution No. 107

It is resolved that, the employees working on contractual basis and who have suffered from COVID-19 will be entitle to additional leave considering the actual period of hospitalization plus 14 days of quarantine period first of all the leave entitle shall be deducted and thereafter additional leave shall be sanctioned. The additional leave so sanctioned shall be treated as paid leave and this decision will be applicable retrospectively subject to fulfillment of following conditions namely;

- a). 10+14 in case of first year of contract and 20+10+14 in case of the second year of contract or subsequent renewal / re-appointment.
- b). Submission of documentary proof such as hospital admission card, COVID positive / RT-PCR Test Report, discharge card and fitness certificate.

ITEM No. 5

महाराष्ट्र जलसंपत्ती नियमन प्राधिकरणातील संचालक हे पद संचालक (भूजल) पदनिर्देशित करणेबाबत.

The Authority has carefully considered the proposal submitted by the Secretary. On perusal of the proposal it appears that one sanctioned post of a Director on a regular basis was re-designated as Registrar in accordance with Regulation 3 (3) of Maharashtra Water Resources Regulatory Authority (Recruitment & Conditions of Service of Employees) Regulation 2013. It is brought to our notice that the proposal for the creation of post Maharashtra Ground Water (Development and Management) Act, 2009 is under consideration. In view of this fact, it is not desirable to re-designate the post as Director (Ground Water). Instead of this, it would be appropriate the reinstate the post as Director as sanctioned in the said regulations.

Resolution No. 108

It is resolved that, one sanctioned post of a Director on a regular basis which was re-designated as Registrar in accordance with Regulation 3 (3) of Maharashtra Water Resources Regulatory Authority (Recruitment & Conditions of Service of Employees) Regulation 2013 shall be reinstated as Director.

ITEM No. 6

Action Taken Report – Nil

ITEM No. 7

Any other subject with the approval / permission of the chairperson.

Nil

VOTE OF THANKS:

The meeting concluded with vote of thanks to the Chair and the Member present.

Date: 12/08/2021

Place: Mumbai

**Sd/-
Hon. Member (WRE)
Shri. Sanjay Kulkarni
(Chairman of the Meeting)**