

HELD AT _____ ON _____ TIME _____

Minutes of the 11/19 Authority Meeting held under the Chairmanship of Shri. K.P. Bakshi on Friday, the 4th day of October, 2019 at 2.45 P.M. at the Conference Hall, 9th floor, Centre-1, World Trade Centre, Cuffe Parade, Mumbai - 400 005.

The following members attended the meeting:-

- | | | |
|------|----------------------------|----------------------|
| i. | Shri V. M. Kulkarni | Member (Engineering) |
| ii. | Shri. Shivaji T. Sangle | Member (Economics) |
| iii. | Shri. Vinodkumar J. Tiwari | Member (Law) |

Other Officers:

- | | | |
|-----|------------------------|------------|
| iv. | Shri. Rasik M. Chauhan | Secretary |
| v. | Smt. Nasima Shaikh | Registrar |
| vi. | Shri. P.R. Khire | Consultant |

At 3.00 P.M, after ascertaining that the requisite quorum for the meeting was present, the Chairman called the meeting to order.

ITEM NO. 1

Sub: To confirm the minutes of the previous 10/19 Authority Meeting held on 1st October, 2019.

This item was deferred.

ITEM NO. 2

Sub: Action Taken Report

There was no Action Taken Report for consideration. Hence no business was transacted against this subject item.

ITEM NO. 3

Sub: Adoption of GRs

There was no GR for adoption. Hence no business was transacted against this subject item.

CHAIRMAN'S
INITIAL



HELD AT _____ ON _____ TIME _____

ITEM NO. 4

Sub: Approval to revised Approach Paper and replacement of the previous Approach Paper on the Authority's website.

The Approach Paper as discussed in the Authority Meeting dated 08/07/2019 has been kept on Authority's website as per the Authority Resolution No.47

Member (WR Engg.) has concised this Approach Paper keeping in view the draft guidelines for determination of Bulk Water Tariff, 2019 which were finalized in the same meeting. The modifications have been discussed and reviewed. And it has been decided to host it on the Authority's website replacing the previous Approach Paper. Copy of the approved and modified Approach paper is attached at Annexure I. After discussion it was resolved that:

"RESOLVED THAT the Approach Paper for fixing criteria and issuance of tariff order for the period 2020-23 as modified after discussion which is at Annexure I, is hereby approved and the same be hosted on the website of the Authority replacing the existing Approach Paper."

"FURTHER RESOLVED THAT the Secretary of the Authority be and is hereby authorised to do all such acts, deeds, things as may be necessary to give effect to aforesaid resolution."

ITEM NO. 5

Sub: Finalisation of Maharashtra Water Resources Regulatory Authority (Fixing Criteria for and issuance of Tariff Orders for Bulk Water) Guidelines, 2019- Review of comments.

Draft Guidelines for fixing criteria and issuance of tariff orders, 2019 were kept on Authority's website and also notified in the government gazette on 5th August, 2019 for inviting comments/suggestions from beneficiaries with the final date of 10th September, 2019. Comments are received from-i) Water Resource Department ii) Shri. Hiralal Mendhigiri iii) Pune Municipal Corporation and iv) Director, GSDA.

The comments received and response of the Authority over it was discussed in detail. The necessary modifications in draft guidelines as per the finalized response have been incorporated and thereby, the finalized guidelines were approved in the meeting.

After discussion, the Authority unanimously passed the following resolution:

CHAIRMAN'S
INITIAL

HELD AT _____ ON _____ TIME _____

"RESOLVED THAT the Authority hereby approves the "Maharashtra Water Resources Regulatory Authority (Fixing Criteria for and issuance of Tariff Orders for Bulk Water) Guidelines, 2019" as per attached Annexure II."

"FURTHER RESOLVED THAT the Authority's response on the comments as well as approved guidelines be kept on the Authority's website & published in gazette"

"FURTHER RESOLVED THAT the Secretary of the Authority be and is hereby authorised to do all such acts, deeds, things as may be necessary to give effect to aforesaid resolution."

Minutes of the 11/19 Authority Adjourned Meeting held under the Chairmanship of Shri. K.P. Bakshi on Wednesday, the 16th day of October, 2019 at 4.00 P.M. at the Conference Hall, 9th Floor, Centre-1, World Trade Centre, Cuffe Parade, Mumbai - 400 005.

The following members attended the adjourned meeting:-

- i. Shri. V. M. Kulkarni Member (Engineering)
- ii. Shri. Vinodkumar J. Tiwari Member (Law)

Other Officers:

- iii. Shri. Rasik M. Chauhan Secretary
- iv. Smt. Nasima Shaikh Registrar
- v. Shri. P.R. Khire Consultant

At 4.00 P.M the Chairman called the meeting to order.

ITEM NO. 1

Sub: To confirm the minutes of the previous 10/19 Authority Meeting held on 1st October, 2019.

The minutes of the 10/19 Authority Meeting were confirmed.

VOTE OF THANKS:

There was no other matter to discuss. The meeting was concluded with vote of thanks to the Chair.

Date: 4/11/19

Place: Mumbai

CHAIRMAN

CHAIRMAN'S
INITIAL

HELD AT _____

ON _____

TIME _____

MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY**Approach Paper (October 2019)****Approach on Determination of Bulk Water Tariff 2020-23**

for the Water Resources Projects in the entire State

1. Background:

The Authority, as mandated in Section 11 (d) of the Maharashtra Water Resources Regulatory Authority Act, 2005 ("Act" for short) is expected to carry out the process of determination of Bulk Water Tariff system after ascertaining the views of the beneficiary public, based on the principle that the water charges shall reflect the full recovery of the cost of the irrigation management, administration, operation and maintenance of water resources projects (for short, "Annual O & M Cost").

The Authority shall establish water tariff system at sub-basin, river basin or State level as the case may be.

This Approach Paper shall be read with "Maharashtra Water Resources Regulatory Authority (Fixing Criteria for and Issuance of Tariff Orders for Bulk Water) Guidelines, 2019".

2. Consultation Method :

Consultation Method has been framed considering the objectives of the consultation, spectrum of stakeholders, complex nature of the subject and technical, social as well as economic aspects of the subject matter.

The consultation process shall be carried out in two phases. In the first phase Consultation with the identified Focus Group shall be done. Thereafter, in the second phase, consultation with the beneficiary public shall be done.

Consultation document, comprising background, formal proposal and other relevant information will be made available to the Focus Group at least 21 days in advance. Inputs from the Focus Group in the form of their suggestions and concerns will be tapped by direct interactions and dialogues, if they desired so. Focus Group shall have persons, having expertise or technical knowledge, to propose strategies and solutions on the subject, and will also have the representatives of the implementing agencies.

In the second phase, the consultation document will be updated on the basis of inputs received from the Focus Group and such updated **consultation** document

INITIAL

HELD AT _____ ON _____ TIME _____

along with the summery report of the consultation with the Focus Group will be made available for the beneficiary public through the website of the Authority, inviting their views and concerns by giving a time of minimum of 30 days.

As, the regulator is expected to protect the interests of all stakeholders optimally, the decisions of the Authority, as regards to acceptance or rejection of any of the suggestion received in consultation process , shall be final and conclusive.

3. Road map:

Authority shall adopt following strategy for establishing water tariff system.

- 3.1 Finalization of 'Admitted O & M Cost'.
- 3.2 Reviewing the user categories.
- 3.3 Forecasting category wise water use from the available data.
- 3.4 Apportionment of 'Admitted O & M Cost' across user categories based on certain Criteria.
- 3.5 Determination of incentives and disincentives across user categories, keeping in view the objects of the Act.
- 3.6 Determination of tariff across user categories.

4. Finalization of 'Admitted O & M Cost' :

The cost elements to be considered in annual 'O & M Cost' shall include cost of 'Irrigation Management', 'Cost of Administration', 'Cost of Operations' and 'Cost of Maintenance' of Water Resources Projects. Provided further that 'Cost of Maintenance' shall include cost of both 'Preventive Maintenance' and 'Operative Maintenance'.

Bulk Water Supply Entity (BWSE) shall submit the projected annual O & M cost estimates for the control period under consideration. If cost estimates are not received timely, Authority will derive the reasonable cost based on past data available with the Authority.

Thereafter, consultation with Focus Group and the beneficiary public shall be done.

CHAIRMAN'S
INITIAL



HELD AT _____ ON _____ TIME _____

The Authority after taking cognizance of inputs received through consultation process shall finalize the "recoverable amount of annual O & M Cost". The amount so finalized by the Authority shall be the 'Admitted Cost'.

5. Reviewing the User Categories :

Authority will review the existing user categories in consultation with the Focus Group and may add/delete/modify the existing user categories which are Agriculture, Domestic and Industry.

The comments of the beneficiary public shall also be sought, by making available the consultation document on the website of the Authority.

The Authority, after taking cognizance of inputs received through consultation process shall finalize the user categories.

6. Finalizing Projected Category Wise Water Use:

BWSE shall furnish all relevant information, along with the application, pertaining to previous as well as control period under consideration, such as storage facilities available, irrigation potential created, irrigation potential actually in use, category wise water uses, evaporation and other losses etc. In the event of non-receipt of data or information from the BWSE, Authority will appropriately use the information as provided in the Annual Irrigation Status Reports and any other latest available data.

The Authority will scrutinize the information regarding category wise water use, projected for the control period under consideration.

Thereafter, consultation with the Focus Group shall be done over the projected category wise water use quantities.

The comments of the beneficiary public shall also be sought, by making available the relevant data on the Authority's website.

The Authority, after taking cognizance of inputs received through consultation process shall finalize the apportionment of the available water across water user categories.

CHAIRMAN'S
INITIAL

O.S.M

HELD AT _____ ON _____ TIME _____

7. Apportionment of 'Admitted Cost' Across User Categories:

The Authority, based on the experience gathered so far, will review the existing Criteria for apportionment of 'Admitted Cost' across user categories and prepare the draft revised criteria.

Thereafter, consultation with the Focus Group shall be done over the draft revised criteria.

The comments of the beneficiary public shall also be sought, by making available draft revised criteria for apportionment of 'Admitted Cost' across the user categories by hosting it on website of the Authority.

The Authority, after taking cognizance of the inputs received through consultation process and after conducting due scrutiny and enquiry shall finalize the criteria for apportionment of 'Admitted Cost' across user categories. The decision of the Authority in this regard shall be final, conclusive and binding.

8. Determination of Incentives and Disincentives:

Existing incentives/disincentives/penalties will be reviewed in consultation with the Focus Group and beneficiary public keeping in view the various objects of the Act; while doing so the inputs of the impact assessment exercise, will also be considered.

The Authority, after taking cognizance of inputs received through consultation process shall finalize various incentives and disincentives across the user categories. The decision of the Authority in this regard shall be final, conclusive and binding.

9. Criteria for Bulk Water Tariff

The principles for the tariff determination so finalized through consultation process in Para. 4 to 8 above shall be documented as "Criteria for Bulk Water Tariff" and shall be shared with all for information, by displaying the same on the website of the Authority.

10. Determination of Tariff Across User Categories:

The Authority, on the basis of category wise apportioned 'Admitted Cost', category wise apportioned water use and the Criteria evolved through

CHAIRMAN'S
INITIAL

HELD AT _____ ON _____ TIME _____

consultation process, shall determine the draft user category wise Bulk Water Tariff. The Authority, may vary category wise bulk water tariff, for different source categories, depending on nature of source after recording reasons thereof.

The comments of the beneficiary public and BWSEs shall be sought, by making available Draft Bulk Water Tariff Proposal on website of the Authority for a minimum period of 30 days.

The Authority, after taking in to the consideration inputs received through consultation process shall finalize the category wise Bulk Water Tariff across user categories. The tariff Order shall have inbuilt provision for annual increase in tariff. The decision of the Authority in this regard shall be final and conclusive. The Tariff Order thus finalized shall be made public by displaying the same on the website of the Authority.

11. Applicability of Tariff Order :

The Tariff Order shall be applicable for three consecutive Water Accounting Years, starting from the Water Accounting Year in which the Tariff Order is issued. The Authority, by giving specific reasons, may extend the control period of the Tariff Order. The Tariff Order with or without annual increase in Tariff. The tariff Order issued by the Authority shall be applicable to all Bulk Water Supply Entities and Bulk Water User Entities in the respective jurisdiction or any Entity connected thereto in the State of Maharashtra.

CHAIRMAN'S
INITIAL



O.S.M.

HELD AT _____

ON _____

TIME _____

MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY, MUMBAI

9th Floor, Centre-1, World Trade Centre, Cuffe Parade, Mumbai – 400 005

Dated ...:2019

Maharashtra Water Resources Regulatory Authority (Fixing Criteria for and Issuance of Tariff Orders for Bulk Water) Guidelines, 2019

NOTIFICATION

In exercise of the powers conferred by Sub-Section 1 of Section 31 read with Sub-Sections (d) and (u) of Section 11 of the Maharashtra Water Resources Regulatory Authority Act, 2005 (Act No. XVIII of 2005), the Maharashtra Water Resources Regulatory Authority had notified Regulations for Fixing Criteria for and Issuance of Tariff Orders for Bulk Water vide Notification No. 57 dated October 15, 2013. The issue of repealing these regulations and framing guidelines for overcoming difficulties in timely review and revision of the water tariff system was under consideration of the Authority. The Authority, based on past experience, has come to the conclusion that these regulations need to be repealed. Accordingly, it has been repealed by separate Notification published in the Govt. of Maharashtra Gazette Part 4 (c) dated May 24, 2019.

The Authority thereafter issued a public notice calling upon the comments or suggestions of the stakeholder and the public at large on the said Guidelines for fixing Criteria for Issuance of Tariff Order for Bulk Water, 2019 (the Guidelines for short) and also declared an intention that the said Guidelines will be taken into consideration by the Authority on or after 10th September 2019 upon considering the comments or suggestions to the said draft notification which was published in Part IV C of the official Gazette No. 75 dt. August 05, 2019 published in of the Government of Maharashtra.

Now, the Authority having considered the comments and the suggestions received to the said Guidelines hereby finally notifies as under :

1. Short Title, Objective, Commencement & Application

- (1) These Guidelines may be called the “*Maharashtra Water Resources Regulatory Authority (Fixing Criteria for and Issuance of Tariff Orders for Bulk Water) Guidelines, 2019.*”
- (2) The objective of these Guidelines is to set out a transparent and consistent procedure for fixing bulk water tariff system and also undertake its periodic review and revision.
- (3) These Guidelines shall come into force from the date of publication of this notification in the Official Gazette.

CHAIRMAN'S
INITIAL

O.S.M.

HELD AT _____ ON _____ TIME _____

- (4) These Guidelines are applicable to the entire State of Maharashtra and to all matters within the jurisdiction of the Authority.

2. Definitions: In these Guidelines unless the context otherwise requires:

- (1) **“Act”** means the Maharashtra Water Resources Regulatory Authority Act, 2005 (Act No. XVIII of 2005) as amended from time to time;
- (2) **“Admitted O & M Cost”** means Operation and Maintenance (O & M) Cost of the relevant water resources projects and shall include costs that are required to be incurred in the process of operating and maintaining the facility in delivering the bulk water and shall include cost of irrigation management, administration, operation and maintenance of water resources projects in the State as admitted by the Authority.
- (3) **“Agricultural User”** means any Water User Association, where formed, at minor level, tributary level, canal level or project level, which is supplied bulk water by the Bulk Water Supply Entity or an individual farmer, where Water User Association has not been formed or formed but not become operational, who is supplied water directly by the project authority, primarily for growing crops.
- (4) **“Application”** means application submitted by the Bulk Water Supply Entity to the Authority for reviewing / revising / determination of the tariff system for bulk water supply;
- (5) **“Approach Paper”** means a document that prescribes detailed methodology that will be adopted by the Authority for determination of the criteria for bulk water charges and establishing Water Tariff system pursuant to power under subsection (d) of the Section 11 of the Act;
- (6) **“Authority”** means the Maharashtra Water Resources Regulatory Authority established under Section 3 of the Act;
- (7) **“Bulk Water”** means any water supplied on volumetric basis to the specific category or categories of use from surface water resources produced by a project, river system or storage facility created or naturally available in the State, either in Public or Private Sector as the case may be;
- (8) **“Bulk Water Supply Entity” (BWSE)** means any entity engaged in supply of Bulk Water, including the Water Resources Department, Soil and Water Conservation Department, the River Basin Agencies as defined in the Act and any other State Government/Semi-Government /Local Self Government Agency or any other Organization/

CHAIRMAN'S
INITIAL

O.S.M.

HELD AT _____

ON _____

TIME _____

Company/Society/Entity in the State sector/ Public/ Private sector managing such water resources projects as the case may be;

- (9) **“Bulk Water Tariff”** means the Volumetric Tariff for the supply of Bulk Water;
- (10) **“Bulk Water Tariff System”** means charges for supply of Bulk Water to various category of users and it shall also includes incentives and disincentives set to facilitate certain strategic objectives provided in the Act;
- (11) **“Bulk Water User Entity” (BWUE)** means utility or any other entity among various categories of use to whom bulk water is supplied by the Bulk Water Supply Entity;
- (12) **“Category of Use”** means use of water for different purposes such as domestic, agricultural irrigation, agro-based industries, industrial or commercial, environmental, etc. and includes such other purposes; considered by the Authority;
- (13) **“Commercial use”** means water use by any commercial entity to which water is made available for commercial use such as, but not limited to, restaurants, lodges & hotels, water sports/resorts, swimming pools, clubs, malls, hospitals, stadiums, construction activities etc and any other activity as may be identified by the Authority as commercial activity from time to time;
- (14) **“Control Period”** means the period for which the tariff order is applicable and shall be the three consecutive Water Accounting Years, starting from the Water Accounting Year in which the tariff order is issued and shall also include any extensions given by the Authority;
- (15) **“Cost of Administration”** means the expenses of offices at division level and above on items such as, but not limited to, salaries and allowances of staff actually engaged in administration of irrigation management and other expenses as admissible under the head of Administrative Charges as per the accounting standards adopted by the respective agencies or entities;
- (16) **“Cost of Irrigation Management”** means the expenses of the irrigation management sections and irrigation sub-divisions such as, but not limited to, salaries and allowances of staff, expenses on contingent field staff appointed during rotation period, office expenses, stationary, advertisements, vehicles, purchase of miscellaneous material, formation of Water User Associations, their training and capacity building activities, crop measurement, assessment and recovery of water charges

CHAIRMAN'S
INITIAL



HELD AT _____

ON _____

TIME _____

etc including such other expenses as may be necessary in the opinion of the Authority;

- (17) **“Cost of Maintenance”** means expenses on both Preventive Maintenance and Operative Maintenance;
- (18) **“Cost of Operations”** means expenses on items such as, but not limited to, energy charges of lift irrigation schemes, spares, consumables, etc, including such other expenses as may be necessary in the opinion of the Authority;
- (19) **“Cost of Operative Maintenance”** means expenses on items such as, but not limited to, pumping out of water from the drainage galleries, restoring discharge carrying capacity of canals by removing silt, weeds, shrubs, restoring breached sections of canals, repairs to canal structures to prevent water losses, replacing damaged rubber seals/stem rods, repairs of residential and non-residential buildings for operating staff etc, including such other expenses as may be necessary in the opinion of the Authority;
- (20) **“Cost of Preventive Maintenance”** means expenses on painting, lubrication of moving parts in electro-mechanical equipments in head works, lift irrigation schemes and canal control structures, treating the leakage paths and arresting the leakages through bank-work to avoid piping failures, remedial measures to prevent progress of retrogression in spillway channels, restoring damaged pointing in stone masonry etc, including such other expenses as may be necessary in the opinion of the Authority;
- (21) **“Criteria for Bulk Water Tariff” (CBWT)** means key principles adopted by the Authority for determination of Bulk Water Tariff System for various category of users, after meeting the requirements prescribed under Section 11 (d) of the Act;
- (22) **“Experts”** means experts in the field of water management, water use economics, law, any other expert as identified by the Authority;
- (23) **“Industrial User”** means any industry, including industrial development Corporations) to which water is made available for industrial use including processing or as a raw use;
- (24) **“Processing Fees”** means the applicable fees as notified by the Authority from time to time, required to be deposited by the Bulk Water Supply Entity, along with the application, for determination of the Bulk Water Tariff;

HELD AT _____

ON _____

TIME _____

- (25) **“Regulatory Fees”** means the fees to be collected by the BWSE from the user entities along with the water charges at the rate notified by the Authority from time to time and to be deposited with the Authority quarterly on pass through basis.
- (26) **“Stakeholder”** means any Bulk Water User Entity or Entitlement holder or an individual farmer as an agricultural user or any registered organization representing the interests of any of them;
- (27) **“State”** means the State of Maharashtra;
- (28) **“State Sector”** means the Water Resources Department of the State supplying bulk water to the various categories of uses;
- (29) **“Utility”** means any Water User Entity responsible for the management, treatment and distribution of domestic or municipal water supplies (including water used for commercial / industries);
- (30) **“Water Accounting Year”** means the year starting from 1st of July of any calendar year and ending on the 30th of June in the next calendar year;
- (31) Terms not defined in these Guidelines will have the same meaning as assigned to them under the Act or under the Maharashtra Management of Irrigation System by Farmers Act, 2005 (Maharashtra Act No. XXXIII of 2005) or under the Maharashtra Irrigation Act, 1976 (Maharashtra Act No. XXXVIII of 1976) or Companies Act 1956 or Acts of Local Bodies or any other Act as amended from time to time.
3. **Procedure for Fixing Criteria for Bulk Water Tariff:**
- (1) The Authority, as mandated in Section 11 (d) of the Act shall carry out the process of determination of Bulk Water Tariff System in a transparent manner after ascertaining the views of the beneficiary public by following the procedure prescribed in the relevant Approach Paper for the control period.
- (2) Bulk Water Supply Entity shall submit the Bulk Water Tariff proposal with the supporting data along with the fees notified by the Authority, at least one year before the expiry of the prevailing control period.
- In the event of failure to submit the tariff proposal in the prescribed time the Authority may suo-moto initiate the tariff review process and recover the cost and fees for the same from BWSE.

CHAIRMAN'S
INITIAL



HELD AT _____

ON _____

TIME _____

- (3) The Authority may direct the BWSE to submit any relevant data as may deem it necessary for determining the CBWT and the Water Tariff System. In the event of failure to submit the data in prescribed time limit, the Authority may adopt the latest available data or such data as may be collected by the Authority as per power vested in it under Section 13 of the Act and cost incurred thereon shall be charged and recovered from the BWSE.
- (4) The Authority shall, either by itself or through duly appointed Consultants or Experts or Committee of Experts, prepare a draft Approach Paper, which shall be shared with all by displaying the same on the website of the Authority for information and perusal of all stakeholders, as the case may be.
- (5) The Authority may carry out any study as may deem it necessary for finalization of Water Tariff System from time to time, as the case may be.
- (6) The Authority shall prepare the Criteria for fixing Bulk Water Tariff (CBWT) through consultation process by following the procedure specified in the Approach Paper. The CBWT shall be shared with all by displaying the same on the website of the Authority.
- (7) The Authority shall prepare draft Bulk Water Tariff Proposal based on CBWT and Admitted O & M cost following the procedure specified in the Approach Paper. The Tariff Proposal shall be hosted for a period of at least 30 days on the Authority's website for inviting concerns/suggestions from the beneficiary public with due intimation through State Level Newspapers in both Marathi & English.
- (8) The Authority may consider the comments received on its merit and shall finalize the tariff order and display the same on the website of the Authority both in Marathi & English.
- (9) The Tariff Order shall have in built provision for annual increase in Tariff.
- (10) Bulk Water Supply Entity shall collect the Regulatory fees from the user entities along with water charges and deposit the same to the Authority quarterly on pass through basis.

4. Procedure for Review of Tariff Order or any other related applications :

- 1) If aggrieved by the Tariff Order, the BWSE or the BWUE having valid agreement with the Bulk Water Supply Entities and having no arrears of the fees or the water charges on the date of Petition may approach this Authority in time limit mentioned in Para 4 (2) below, with Petition by

CHAIRMAN'S
INITIAL

0.92
M

HELD AT _____

ON _____

TIME _____

depositing the applicable fee as notified by the Authority from time to time;

Provided further that the Authority may allow the Petition, with partial payment of arrears, depending on merits of the case and financial capacity of the Petitioner.

2) The review Petition shall be filed within 45 (forty-five) days from hosting of Tariff Order on the Authority's website. However, the Authority shall have power to condone the delay in its sole discretion, depending upon the facts and circumstances so demonstrated.

3) The Authority shall consider only the following issues in Review Petition:

- i.* any error apparent on the face of it or any discrepancy in figures in the Tariff Order, including grammatical and typographical errors;
- ii.* any provision in the Tariff Order which is not in conformity with the Act or Criteria for Bulk Water Tariff or the relevant Rules or the relevant Regulations or these Guidelines;
- iii.* any other matter incidental or connected thereto which in the opinion of the Authority is required to be dealt with in the interest of stakeholders at large.

5. **Interpretation :**

The interpretation of any provisions in these guidelines or the tariff Order made by the Authority shall be final, conclusive and binding.

6. **General power to amend/rectify :**

The Authority may amend or rectify any provisions in the tariff order suo-moto provided;

- a) any error apparent on the face of it or any discrepancy in figures in the Tariff Order, arithmetical error, grammatical and typographical error which is noticed or is brought to the notice of the Authority;
- b) any provision in the Tariff Order which is not in conformity with the Act or the CBWT is noticed;
- c) any other matter incidental or connected thereto which in the opinion of the Authority is required to be dealt with in the interest of stakeholders at large.

CHAIRMAN'S
INITIAL



HELD AT _____

ON _____

TIME _____

7. Power to remove difficulties :

If any difficulty arises in giving effect to any of the provisions of these guidelines or the implementation of the Bulk Water Tariff Order, the Authority may, by general or special order, do anything not inconsistent with the provisions of the relevant Act, the Rules, the Criteria and guidelines which appear to be necessary or expedient for the purpose of removing the difficulties in the interest of the stakeholders.

8. Extension or abridgement of time prescribed :

Subject to the provisions of the Act, the time prescribed by these Guidelines or by the order of the Authority for doing any act may be extended (whether it has already expired or not) or abridged for sufficient reason to be recorded by an order of the Authority.

9. Applicability of Tariff Orders :

The Tariff Orders issued by the Authority shall be applicable to all BWSEs and BWUEs of the State sector including individual farmer as bulk water user in the respective jurisdiction or any Entity connected thereto in the State of Maharashtra for the control period, including any extension/extensions given by the Authority, if any, with or without the annual increase in tariff.

Further, the Tariff Order so issued, on the basis of the methodology prescribed in the approach paper for the State sector, shall be applicable to all category of users to whom bulk water is supplied by water resources project owned and/or managed by any other BWSE such as Soil & Water Conservation Department, Water Supply and Sanitation Department, Forest Department, Agriculture Department, Public Works Department, Local Bodies or any other entity either in Public or Private Sector including MIDC, CIDCO, Municipal Corporations, Companies, Organizations, Associations etc. till such time that these BWSEs approach to the Authority for determination of their BWSE specific Tariff as may be directed by the Authority or the Authority determines the separate BWSE specific Tariff Suo-moto, whichever is earlier.

10. Enforcement of orders passed by the Authority :

The Authority shall ensure proper enforcement and compliance of the orders passed by the Authority through its Secretary and/or from the persons concerned in accordance with the provisions of the Act and the Guidelines if necessary. The non-compliance of the Orders shall attract the provisions of the Act.

CHAIRMAN'S
INITIAL

O.S.M.

HELD AT _____ ON _____ TIME _____

11. Amendment in the Tariff Guidelines :

The Authority may make any amendments as it may be required by a reasoned Order which shall be displayed on the website of the Authority and such publication and display shall be presumed as notice to the stakeholders at large.

Mumbai:

Date: 04/10/2019

(Er. Rasik Chauhan)

Secretary

Maharashtra Water Resources Regulatory
AuthorityCHAIRMAN'S
INITIAL