

HELD AT _____ ON _____ TIME _____

Minutes of the 2/20 Authority Meeting held under the Chairmanship of Shri. K.P. Bakshi on Friday, the 6th day of March, 2020 at 11.30 A.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. Vinodkumar J. Tiwari Member (Law)
- iii. Shri. Shivaji T. Sangle Member (Eco)

Other Officers:

- iv. Dr. Ramnath Sonawane Secretary
- v. Smt. Nasima Shaikh Registrar

The Secretary welcomed all the Members present for the meeting. As a new Secretary of the Authority, he gave brief introduction of himself to the Members.

At 11.40 A.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 1/20 Authority Meeting held on 21st January, 2019.

The minutes of the previous 1/20 Authority Meeting were confirmed.

While discussing about confirmation of minutes of 1/20 Authority meeting, minutes of 13/19 Authority meeting was re-discussed. Wherein, the Authority has decided to annex the comments of Member (Law) and Member (Eng) to the minutes of 13/19 Authority Meeting as Annexures and to be numbered as Annexure A, B, C and D. The suggestions were noted by Secretary for necessary action.

ITEM NO. 2

Sub: Action Taken Report.

Summary of Action Taken report (ATR) on the compliance report between 13/19 and 2/20 Authority Meeting was tabled before the Authority. Accordingly, the Authority gave following directives to Secretary-

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No.	Subject	Directives of Authority
1.	Proposal to start Media Cell with the support of external agency/professions/ consultants.	The Chairman briefed background of the proposal, need of Media Cell for spreading awareness in water sector to the Secretary. Thereafter the Authority directed to form a committee for implementation of Media policy.
2.	Empanelment of hotels by MWRRRA for organizing workshops/seminars etc.	Authority directed to complete the Agreement with remaining hotels on immediate basis.
3.	In the matter of the "Individual Water Entitlements" as defined in Section 2(1)(f) of the MWRRRA Act 2005, and the Authority's obligation under Section 11 (g)(v) and 11(h) of the Act read with the mandate u/s 11(a), 11(c) & 11(d) read with 11(s) of the Act.	Authority directed that the order on Individual Water Entitlement need to be effectively communicated to Secretary CAD, WRD as adopted.
4.	In the matter of the potential created through Soil & Water Conservation Department, Small Scale Irrigation Schemes under Zilla Parishad, Gram Panchayat, Local Bodies, Forest Department and other relevant agencies- viz- a-viz issue of "Entitlements" and tariff thereof as defined in Section 2 of the Act and the Authority's obligation under Section 11 of the Act.	For collecting the hydrological database, directions need to be given to the Secretary-WCD, WSSD, Zilla Parishad, Gram Panchayat, other Local Bodies, Forest Department etc. to publish status report on water supply potential created and utilized on the lines of Irrigation Status Report published by WRD, every year and to be kept in public domain.
5.	Formation of Standing Committee under MWRRRA Act, 2005 for carrying out preparatory work for implementation of provisions in Maharashtra Groundwater (D&M) Act, 2009 which do not require Rules	Since Director-GSDA is one of the members of Standing Committee, he should be called to attend the meeting of the Standing Committee and the Authority, whenever Groundwater related issues are discussed in the meeting.
6.	Regarding deletion of Budget Head with respect to completed irrigation projects.	The Authority directed to issue necessary orders to Principal Secretary, WRD.
7.	Waste Water Reuse Certificate - Resolution	The Authority directed to submit the WET and WRC regulations to Principal Secretary, WRD, Govt. of Maharashtra for approval and final notification along with the relevant Guidelines.

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The Authority took note of remaining ATR and directed the Secretary to take review of all pending ATR

ITEM NO. 3**Sub: Adoption of GRs**

The following GRs have been put before the Authority.

Sr. No	Subject
1	महाराष्ट्र सुदुर संवेदन उपयोजन केंद्र, नागपूर यांना उपग्रह छायाचित्र संकलन व भौगोलिक माहिती प्रणालीचा राज्यात वापर करण्यासाठी "प्रमुख संस्था (NODAL AGENCY)" म्हणून नियुक्तीबाबत. नियोजन विभाग, शासन निर्णय क्र. सुसंके-१०१५/प्र. क्र. १२९/का. १४२६, दिनांक- २८ एप्रिल २०१६.
2	महाराष्ट्र सुदुर संवेदन उपयोजन केंद्र (MRSAC), नागपूर द्वारे उपग्रहीय छायाचित्र (Satellite Images) च्या आधारे भूस्थानिक वैशिष्ट्यपूर्ण नकाशे (Geospatial Thematic Maps) उपलब्ध करून देणे. नियोजन विभाग, शासन निर्णय क्र. सुसंके-२०१७/प्र. क्र. ६२/का. १४९८, दिनांक- ०५ मे, २०१८.

The above GRs have been discussed in the meeting. After discussion it was held that Sr No.1 GR is to be adopted, after modifying its applicability to MWRRRA.

RESOLUTION NO. 71

"WHEREAS, the GR mentioned hereinabove is necessary for the effective functioning of the Authority

NOW THEREFORE IT IS RESOLVED THAT, the GR at Sr.No.1 is hereby adopted. Draft Authority Resolution is appended as Annexure-A."

ITEM NO. 4

Sub: For deciding annual yield capacity of tanks, small reservoirs or catchments of rainwater harvesting for the purpose of implementation of Section 14 (1) of the MWRRRA Act, 2005.

The subject was discussed in previous 1/20 Authority Meeting, wherein it was withdrawn for further scrutiny. On original proposal, Member (Law) submitted following comments which were reiterated by him in the meeting also-

- The mandate covered under the provisions of Section 14(1)(b) need to be implemented only after vide public consultation and after ascertaining the views of the stakeholders at large, as annual yield capacity cannot be

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decided unilaterally by the Authority without examining the impact on the other mandates under the Act.

ii. The guidelines framed in 2015 for the purpose of implementation of mandate covered under Section 11(f), through which it is stated that projects having capacity of more than 1.5 MM cubic need not require clearance, is ultra vires and contradicting to the provisions of Section 11(f) of the Act, as no such capacity limitation is given under the said Section and its speaks about all the projects, irrespective of any capacity and therefore, the said policy guideline to this extent, need to be amended forthwith.

I have already recorded the same in another file moved by the Director in which he had sought such exemption for local projects as per new norms of 600 hectares and have advised then Ld. Secretary to process the same forthwith as such ultra vires thing and contradiction to the provisions of Section 11(f) of the Act need to be rectified immediately, to modify the said Guidelines of 2015.

iii. Moreover, it is the mandate of the law to account for every drop of water and for that purpose building hydrological database is going on, as per the Statutory mandate with this Authority for which support of all Govt. agencies should be taken. Unless, we complete this important exercise of water accounting viz-a-viz hydrological database, no such decision and declaration can be taken by our Authority, to avoid miscarriage of law.

iv. We have already resolved to call for details of the water accounts/ Entitlements/ Authorisations/ Utilization of the water from all agencies/ departments working for local sectors and until such details are received, properly accounted for and duly analysed, the present agenda item cannot be resolved effectively.

v. Viewed above, the agenda item may please be deferred and can be taken up later after completion of above points.

Member (Eng) suggested to delete para 3 and 5 of original motion. The suggestion was accepted by the Members.

Member (Eng) stated that the subject is of entitlement Authority has been given a mandate under MWRRRA Act, 2005 to set the limit of Annual yield capacity. He was of the opinion that the capacity should be decided in phased manner wherein initially 1.5 MCM limit can be set and afterwards it can be gradually reduced as and when the data is available. He also stated that clearance of projects as laid down under Section 11(f) of MWRRRA Act, 2005, entitlement and accounting are altogether different and should not be mixed.

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Member (Law) was of the opinion that setting the limit of 1.5 MCM will contradict the resolutions passed earlier by the Authority under Section 14 (4) of the MWRRRA Act, 2005, wherein the Authority directed WRD to provide all data relating to entitlement given. Without proper data the Authority can't set limit of 1.5 MCM. He insisted that since the proposal is pertaining to deciding the annual yield capacity under Section 14(1)(b), stakeholders' consultation should be held. Member (Law) proposed common public consultation for Section 14(1), 14(2) and 14(3).

Chairman stated that since this involves voluminous work, at initial stage 1.5 MCM limit may be set and then it can be gradually reduced. Chairman suggested amendment to the draft resolution that the resolution will remain in operation till further modification by Authority.

The motion along with modifications proposed was then put to vote. Chairman, Member (Eng) and Member (Eco) voted in favor of the modified motion while Member (Law) voted against. Thereby the following resolution was passed by majority of 3 vs 1:

RESOLUTION NO.72

WHEREAS, Section 14 (1) (b) of the Maharashtra Water Resources Authority Act, 2005, entrusts this Authority, the responsibility to decide the annual yield capacity of tanks, small reservoirs or catchments of rainwater harvesting for the purpose of implementation of Section 14 (1) of the Act;

AND WHEREAS, the Authority having considered the number of projects/schemes under Water Conservation Department of the State, as indicated in the Economic Survey Of Maharashtra, for the year 2018-19, and volume of work involved in implementation of the provisions in Section 14(1) of the Act, is of the opinion that in the first instance the projects/schemes / water harvesting structures having annual water utilization more than 1.5 million cubic meter be brought under the purview of the Section 14(1)(b) of the Act;

NOW THEREFORE IT IS RESOLVED THAT, for the projects/schemes/water harvesting structures having estimated annual yield capacity of 1.5 million cubic meter and above, provisions in Section 14(1) of the MWRRRA Act, 2005 shall be applicable and subject to the provisions contained in Section 31A of the MWRRRA (Amendment and Continuance) Act , 2011, no person shall use any water from any projects/schemes/water harvesting structures having design

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yield capacity of 1.5 million cubic meter or more, without obtaining the Entitlement from the Respective River Basin Agency;

FURTHER RESOLVED THAT this resolution will remain in operation till further modification by the Authority.

ITEM NO. 5

Sub: Recovery of arrears towards water charges for non irrigation in the matter of suo moto cognizance taken by the Authority vide its order dated 15/05/18.

Member (Law) pointed out that after holding 5-6 meetings on this subject, scanty compliance has been done. And which indirectly increased the recovery of arrears of Govt towards water charges approx. amounting to Rs. 600 crs. He further stated that no serious cognizance was taken by WRD. He further suggested issuing a notice u/Sec. 26 of the MWRRRA Act, 2005 to all EDs and Secretary, WRM, which was not accepted by the Chairman.

Member (Eng) and Member (Law) pointed out that since only enforcement is pending, there is no need to pass fresh resolution for this.

Accordingly with the permission of Chairman, the subject was dropped by the Secretary.

ITEM NO. 6

Sub: Draft agreement on Non-Irrigation Water Use submitted by the Chief Auditor, Water and Irrigation, Aurangabad to WRD vide letter dated 24.04.2019 - WRD requested comments from this Authority vide letter 2.11.2019.

Since the comments were already been communicated to WRD, no further discussions on the subject was carried on.

Accordingly the subject was dropped by the Secretary.

ITEM NO. 7

Sub: To discuss and approve opening of Savings Account in the State Bank of India for depositing the arrears amount in lieu of Defined Contribution Pension Scheme (D.C.P.S.) as per the provisions of Regulation 33 of MWRRRA(Recruitment & Conditions of services of Employees) Regulation, 2013.

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Secretary stated that the Authority has not yet received the employer and employee code from Govt. of Maharashtra. So the proposal of opening of Saving Account in the State Bank of India for depositing D.C.P.S contribution till the Authority gets employer code, was put up before the Authority.

Member (Law) stated that like other autonomous organizations, the Authority can also directly apply for separate code to Govt. Member (Eng) pointed out factors like loss of statutory interest of employee, tax liability on interest received to the Authority are to be considered by the Authority.

The Chairman directed the Secretary to seek separate code directly from the PF Commissioner and to reintroduce the subject in next Authority Meeting. Accordingly, the subject was dropped.

VOTE OF THANKS:

There being no other matter to discuss, the meeting was concluded with vote of thanks to the Chair and the Members present.

Date: 16.3.2020



Place: Mumbai

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महाराष्ट्र सुदूर संवेदन उपयोगन केंद्र, नागपूर
यांना, उपग्रह छायाचित्र संकलन व भौगोलिक
माहिती प्रणालीची मजनिप्रा करण्यासाठी
“प्रमुख संस्था (NODAL AGENCY)” म्हणून
नियुक्तीबाबत.

महाराष्ट्र जलसंपत्ती नियमन प्राधिकरण

९ वा मजला, वर्ल्ड ट्रेड सेंटर,

कफ परेड, मुंबई - ४०० ००५.

दिनांक मार्च, २०२०

प्रस्तावना :-

अवकाश उपग्रह तंत्रज्ञानात मोठया प्रमाणावर प्रगती झाली असून त्याद्वारे प्राप्त होणारी माहिती आता सर्वसामान्यांना विविध भौगोलिक माहिती आधारीत कार्यासाठी उपलब्ध होत आहे. तसेच उपग्रहाद्वारे प्राप्त होणा-या माहितीचा वापर विविध कार्यात होत असून सदर तंत्रज्ञानाचा फायदा सर्व संस्थाना देखील उपलब्ध आहे. मजनिप्राला विविध स्तरावर धोरणात्मक निर्णय घेणे, संनियंत्रण, भूसर्वक्षण करणे इत्यादी कामे पार पाडण्यात सदर तंत्रज्ञान अत्यंत उपयुक्त आहे.

२. उपरोक्त बाबी विचारात घेता, मजनिप्रासाठी माहिती व सुदूर संवेदन तंत्रज्ञानाच्या वापरात सुसुत्रीकरण, प्रमाणीकरण करून मजनिप्रासाठी “सर्व समावेशक जल हवामान शास्त्रीय माहिती यंत्रणा” राबविण्यासाठी संचप्रणाली (Comprehensive Geo-Hydrological Data Base System) विकसित करण्यासाठी MRSAC ला “प्रमुख संस्था (NODAL AGENCY)” म्हणून नियुक्त करण्याचा प्रस्ताव मजनिप्राच्या विचाराधीन होता.

मजनिप्रा निर्णय :-

महाराष्ट्र रिमोट सेंसिंग ॲप्लीकेशन सेंटर (MRSAC - महाराष्ट्र सुदूर संवेदन उपयोगन केंद्र), नागपूर यांची मजनिप्रासाठी सामायिक “सर्व समावेशक जल हवामान शास्त्रीय माहिती यंत्रणा” राबविण्यासाठी संचप्रणाली (Comprehensive Geo-Hydrological Data Base System) विकसित करणे, त्यांची अंमलबजावणी व देखभाल हयाकरिता “प्रमुख संस्था (NODAL AGENCY)” म्हणून नियुक्ती करण्यात येत आहे

अ) महाराष्ट्र रिमोट सेंसिंग ॲप्लीकेशन सेंटर (MRSAC - महाराष्ट्र सुदूर संवेदन उपयोगन केंद्र), प्रमुख संस्था म्हणून पुढील कार्ये पार पाडेल :-

१. मजनिप्राला वेळोवेळी आवश्यक असलेली उपग्रह छायाचित्रे MRSAC ने उपलब्ध करून देणे.

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२. मजनिप्राकरिता आवश्यक असलेली भौगोलिक माहिती STANDARD DATA FORMAT / TEMPLATE मध्ये एकत्रित गोळा करण्यासाठी मजनिप्राला सहाय्य करणे.
३. सुदूर संवेदन (Remote Sensing) , भौगोलिक माहिती प्रणाली (Geographic Information System - GIS), GPS, LIDAR अशा अत्याधुनिक तंत्रज्ञानाचा वापर करून ग्रामीण, शहर, कृषी, वने, खनिज, पाणी वगैरे साधन संपत्ती योजना आखणी, अंमलबजावणी, नियंत्रण तसेच नैसर्गिक विपदांमध्ये उपलब्ध करून देणे.
४. अ) सुदूर संवेदन व भौगोलिक माहिती एकत्रितरित्या भविष्यात मजनिप्राच्या सर्व्हरवर/ Cloud वर जतन करणे व त्याच्या वापराने Management Information System (MIS) आणि Decision Support System (DSS) विकसित करणे तसेच मजनिप्राच्या "सर्व समावेशक जल हवामान शास्त्रीय माहिती यंत्रणा" राबविण्यासाठी संचप्रणाली (Comprehensive Geo-Hydrological Data Base System) विकसित करणे.
५. महाराष्ट्र रिमोट सेंसिंग ॲप्लीकेशन सेंटर (MRSAC - महाराष्ट्र सुदूर संवेदन उपयोजन केंद्र) यांचेकडे सोपवावयच्या कामास प्रशासकीय मान्यता देण्यास मजनिप्रा निर्णय क्र. मजनिप्रा/लेखा/वि.अ.नि.पु/प्र. क्र. २७/२०१९/(७४४) दिनांक २७/०८/२०१९ अन्वये प्रदान केलेल्या वित्तीय अधिकारात प्राधिकरण सक्षम आहे.
६. महाराष्ट्र सुदूर संवेदन उपयोजन केंद्र, नागपूर यांचेकडून आवश्यक त्या प्रतवासीची माहिती उपलब्ध होणे शक्य नसल्यास वा अवाजवी विलंब होत असल्यास ती अन्य संस्थांकडून अथवा यंत्रणांकडून खरेदी करण्यासंदर्भात मजनिप्रा निर्णय क्र. मजनिप्रा/लेखा/वि.अ.नि.पु/प्र. क्र. २७/२०१९/(७४४) दिनांक २७/०८/२०१९ अन्वये प्रदान केलेल्या वित्तीय अधिकारात निर्णय घ्यावा.
- सदर निर्णय मजनिप्रा ठराव क्र. _____ , प्राधिकरण बैठक ०२/२० अन्वये, निर्गमित करण्यात येत आहे.

सचिव

(मजनिप्रा)

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