

HELD AT _____

ON _____

TIME _____

Minutes of the 5/20 Authority Meeting held on the requisition moved by Member (Law) and seconded & approved by Member (Eco), on Monday, the 22nd day of June, 2020 via Video Conferencing at 03.00 P.M.

The following Members attended the meeting:-

- i. Shri. Vinodkumar J. Tiwari Member (Law)
- ii. Shri. S. T. Sangale Member (Economics) (Via Video conferencing)

Other Officers:-

- iii. Shri. Ramnath Sonawane Secretary
- iv. Smt. Nasima Shaikh Registrar

Due to the vacancy for the post of Chairperson, MWRRRA, the meeting was called by Secretary, MWRRRA on the requisition moved by Member (Law) and seconded & approved by Member (Eco) to conduct the meeting, in accordance with the provisions of Point (I)(6) of Appendix-C of MWRRRA (Recruitment & Conditions of Services of Employees) Regulations, 2013, as per provisions under Section 9 read with Section 10 of the MWRRRA Act, 2005 and Regulation 9(5) read with Regulation 35 of MWRRRA (Conduct of Business) Regulations, 2013.

This meeting was held via video conferencing on Zoom App as Shri. Sangale, Member (Eco) and some Officers were not available in office due to Covid-19 Pandemic.

At the out set Shri. S. T. Sangale, Member (Eco) who participated from Aurangabad proposed Shri. Vinodkumar J. Tiwari, Member (Law) to Chair the meeting in accordance with the provisions of Section 9(2) of the MWRRRA Act, 2005 read with Regulation 9(5) of MWRRRA (Conduct of Business) Regulations, 2013. The Secretary welcomed all the Members present for the meeting.

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

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S. T. Sangale
STH

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INITIAL

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ITEM NO. 1

Sub: To discuss the amendments in the MWRRRA (Conduct of Business) Regulations, 2013.

The issue pertaining to vacancy in the office of Chairperson at MWRRRA after retirement of Chairperson has been discussed. Accordingly, the need for amendments in the MWRRRA (Conduct of Business) Regulations, 2013 to be carried out by the Authority was deliberated.

RESOLUTION NO. 73

"RESOLVED THAT the Secretary, MWRRRA is directed to submit draft amendments as annexed to the MWRRRA (Conduct of Business) Regulations, 2013, to the Government for approval by note sheet in file."

ITEM NO. 2

Sub: It is discussed with Secretary WRD CAD that as per State Water Policy as well as MWRRRA Act, MGWDM Act, work pertaining to ground water is to be taken up effectively and for that matter the technical wing - GSDA to function under WRD instead of WSSD and for that matter the Authority need to discuss & decide to present case before State Govt.

Member (Law) pointed out that as per the discussion with Secretary WRD, CAD the work pertaining to ground water is to be taken up effectively and for that matter the technical wing - GSDA to function under WRD instead of WSSD. Accordingly, he suggested amendments to be done in the Groundwater Rules. And the said draft will be circulated to the Government for approval.

RESOLUTION NO. 74

"RESOLVED THAT the draft letter in this regards be sent to the Government for approval."

"RESOLVED FURTHER THAT the Secretary, MWRRRA be and is hereby authorised to do all such acts, deeds and things to give effect to the above resolution."

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VOTE OF THANKS:

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

[Signature]
Secretary, MWRRRA 25/16

[Signature]
Member (Law) 25/16

Member (Eco) *] By Email*

CHAIRMAN'S INITIAL

[Signature]

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MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY, MUMBAI

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

NOTIFICATION**MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY (CONDUCT OF BUSINESS) AMENDED REGULATIONS, 2020.**

No. MWRRRA. 2020/CBR/(55).— In exercise of the inherent powers conferred upon this Authority by the Regulation 35 of the MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY (CONDUCT OF BUSINESS) REGULATIONS, 2013 which empowers the Authority to make such orders as may be necessary for meeting the ends of justice read with the powers under the provisions of section 31 of the Maharashtra Water Resources Regulatory Authority Act, 2005 (Mah. XVIII of 2005), the Authority having considered the shortcomings in the present Regulations as regards to the situation when the position of Chairperson is vacant, in turns ultimately likely to affect the business & functions of the Authority, the Authority in its opinion found it necessary to alter, modify and amend the provisions in the said Regulation of 2013 in order to address such situation and therefore, has resolved to amend the said regulations as under :—

GENERAL 1. Short Title, Object, Commencement and Extent.—

(1) These Regulations may be called the "*Maharashtra Water Resources Regulatory Authority (CONDUCT OF BUSINESS) Amended Regulations, 2020*".

(2) The object of these Regulations is to amend and add the Regulation 10 (A) to provide the necessary conditions for smooth functioning of the Authority, in the event there is vacancy for the post of the Chairperson or the Chairperson is on leave, in such situation, empowering State Government for the nomination of any Member of the Authority to carry out the functions of the post of Chairperson temporarily till the time the Chairperson resumes office.

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(3) To add Regulation 10 (A) after Regulation 10 of the MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY (CONDUCT OF BUSINESS) REGULATIONS, 2013.

(4) Regulation 10 (A) -

In case there is vacancy for the post of the Chairperson or the Chairperson is on leave, in such situation for smooth functioning of the Authority, the State Government shall be empowered to nominate and authorize any Member of the Authority to carry out the functions of the post of Chairperson as per the provisions of the Act , Rules and Regulations temporarily till the Chairperson resumes office.

(5) These Regulations shall be deemed to come into force from 15/05/2020.

(6) These Regulations shall apply to all matters within the jurisdiction of the Authority.

(7) These Regulations shall be displayed on the official website of Authority apart from its publication in official Gazette of the State Govt.

By the order of the Authority,



Dr. Ramnath Sonawane
Secretary,

Maharashtra Water Resources Regulatory Authority, Mumbai.

Place : Mumbai

Date : 22/06/2020

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INITIAL

O.S.M.

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MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY, MUMBAI

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

Note Sheet**Sub : Proposal to amend MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY (CONDUCT OF BUSINESS) REGULATIONS, 2013.**

WHEREAS, the Authority, by virtue of powers conferred under Section 31 of the MWRRRA Act, 2005, has specified MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY (CONDUCT OF BUSINESS) REGULATIONS, 2013 (hereinafter referred to as "Prevailing Regulations") in the year 2013 and are in use after the approval of State Govt.;

AND WEHREAS, in the said Regulations there is no provisions pertaining to the Conduct of Business and the functions of the Authority, in the event there is vacancy in the office of Chairperson of the Authority and such situation has arisen on 15/05/2020, when the Chairperson was retired from the said post and has been relieved without having any alternate arrangement as the ongoing process of appointment to the post of Chairperson has not been completed so far and as such there is vacancy in the office of post of Chairperson;

AND WHEREAS, the Authority having felt the necessity arising out of such situation arose for the first time and after discussing with the Ld. Secretary of WRD-CAD of State Govt. and further discussions of Member-Law of the Authority with the Hon'ble Chief Secretary of the State Govt., it has been found prudent to move the amendments /modifications in the Prevailing Regulations in order to make the suitable provisions to address the situation.

AND WHEREAS, the Authority conducted its meeting through video conferencing on 22/06/2020 under the provisions of the Regulation 9 of the prevailing Regulations read with the Section 10 of the MWRRRA Act, 2005 and resolved to amend the Regulations draft of which is as under :

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NOTIFICATION

MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY (CONDUCT OF BUSINESS) AMENDED REGULATIONS, 2020.

No. MWRRRA. 2020/CBR/(55).— In exercise of the inherent powers conferred upon this Authority by the Regulation 35 of the MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY (CONDUCT OF BUSINESS) REGULATIONS, 2013 which empowers the Authority to make such orders as may be necessary for meeting the ends of justice read with the powers under the provisions of section 31 of the **Maharashtra Water Resources Regulatory Authority Act, 2005 (Mah. XVIII of 2005)**, the Authority having considered the short comings in the present Regulations as regards to the situation when the position of Chairperson is vacant, in turns ultimately likely to affect the business & functions of the Authority, the Authority in its opinion found it necessary to alter, modify and amend the provisions in the said Regulation of 2013 in order to address such situation and therefore, has resolved to amend the said regulations as under :—

GENERAL 1. Short Title, Object, Commencement and Extent.—

- (1) These Regulations may be called the "**Maharashtra Water Resources Regulatory Authority (CONDUCT OF BUSINESS) Amended Regulations, 2020**".
- (2) The object of these Regulations is to amend and add the Regulation 10 (A) to provide the necessary conditions for smooth functioning of the Authority, in the event there is vacancy for the post of the Chairperson or the Chairperson is on leave, in such situation, empowering State Government for the nomination of any Member of the Authority to carry out the functions of the post of Chairperson temporarily till the time the Chairperson resumes office.
- (3) To add Regulation 10 (A) after Regulation 10 of the MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY (CONDUCT OF BUSINESS) REGULATIONS, 2013.
- (4) **Regulation 10 (A) –**

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In case there is vacancy for the post of the Chairperson or the Chairperson is on leave, in such situation for smooth functioning of the Authority, the State Government shall be empowered to nominate and authorize any Member of the Authority to carry out the functions of the post of Chairperson as per the provisions of the Act , Rules and Regulations temporarily till the Chairperson resumes office.

(5) These Regulations shall be deemed to come into force from 15/05/2020.

(6) These Regulations shall apply to all matters within the jurisdiction of the Authority.

(7) These Regulations shall be displayed on the official website of Authority apart from its publication in official Gazette of the State Govt.

By the order of the Authority,

Dr. Rammath Sonawane, Secretary,

Maharashtra Water Resources Regulatory Authority, Mumbai

Place : Mumbai

Date : 22/06/2020

The Authority having discussed has adopted the above amendments unanimously by the Members attending and voting in favour of the said amendments placed in the meeting.

The Ld. Secretary of the Authority is hereby directed to submit the said proposal of amendments in the Regulations titled as "**Maharashtra Water Resources Regulatory Authority (CONDUCT OF BUSINESS) Amended Regulations, 2020**" to the State Govt. for necessary approval as contemplated under Section 31 of the Act and also arrange to host the same on the official website of the Authority apart from its publication in official Gazette of the State Govt. after obtaining due approval of the State Govt.

Member - Law

Member – Economic

Secretary

CHAIRMAN'S
INITIAL

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