

HELD AT _____ ON _____ TIME _____

MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY

Minutes of the 6/2018 Meeting
June 13, 2018 at 12:00 PM

The 6/2018 Authority Meeting was held under the Chairmanship of Member (WRE).

The following were present:

Members

1. Shri. Vinodkumar J. Tiwari, Member (Law)
2. Dr. Shivaji T. Sangle, Member (Eco)

Others

1. Shri.S.D.Kulkarni, Director
2. Smt.Nasima M.Shaikh, Registrar
3. Shri.P.R.Deshpande, Dy.Director
4. Shri.Rohan Sodal, Dy. Director
5. Ms.Priyanka Iyer, Legal Advisor

As per directions of Hon. Chairman, following two agenda items was placed for discussion, under the Chairmanship of Member (WRE)

Item No 1 - Clearance to Chandri Nadi (Minor) Project, Taluka Nandgaon, District Amravati under Section 11 (f) of the MWRRRA Act, 2005

The Agenda Note was discussed in depth and having considered it carefully, the Authority has passed the following resolution:

WHEREAS, the Executive Director, Vidarbha Irrigation Development Corporation (VIDC), Nagpur vide letter No. 10587/VIDC/D.T.-7/ (136/2009)/2017 dated November 18, 2017 has submitted the proposal of Chandri Nadi (Minor) Project, District Amravati for the clearance of the Maharashtra Water Resources Regulatory Authority (MWRRRA);

AND WHEREAS, the State Government accorded Administrative Approval (AA) to the project on December 20, 2006 and 1st RAA on November 29, 2010;

HELD AT _____ ON _____ TIME _____

AND WHEREAS, Government Resolution No. Misc./2015/(425/2015)/ Medium Project dated November 16, 2016 has mandated prior approval of the MWRRRA under Section 11(f) of MWRRRA Act 2005, if the project undergoes change in scope;

AND WHEREAS, the proposal for Second RAA has been scrutinized by State Level Technical Advisory Committee, and recommended for RAA with its observations;

AND WHEREAS, as per the provision in Para 2.2 of the GR dated November 16, 2016, project under consideration does not undergo change in scope and hence does not require Authority's clearance;

AND WHEREAS, the Secretary level sub-committee under the Chairmanship of Additional Chief Secretary (Finance) consented the proposal of Second RAA in the meeting dated May 17, 2017 with condition that the clearance of MWRRRA be obtained as the original AA to the project was accorded after the constitution of MWRRRA;

AND WHEREAS, The proposal was scrutinized under Section 11(f) of the MWRRRA Act, 2005 with respect to the following parameters;

- (i) THAT, the Integrated State Water Plan - Godavari basin, wherein the project is located, is prepared by River Basin Agency and approved by the State Water Council on November 30, 2017 and the said project was shown in the list of Priority - 1 projects under VIDC;
- (ii) THAT, the hydrological criteria and economic criteria in respect of this project appear to be viable;
- (iii) THAT, as per SLTAC report, MoEF, GoI's Notification of September 14, 2006 was then applicable and as per that SEIAA's Environment Clearance was required and now as per MoEF's June 25, 2014 Notification, Environment Clearance is not required for projects having less than 2000 ha irrigable area;
- (iv) THAT, at the time of according AA to the said project, the Hon'ble Governor's directives for the 2006-07 were applicable and there was no ban on taking up new projects in irrigation backlog region in the said directives and thus the said project was then compatible with the then Hon'ble Governor's directives;

AND WHEREAS, all the prescribed criteria aforesaid mentioned which are necessary for according MWRRRA's clearance under Section 11(f), were then fulfilled;


CHAIRMAN'S INITIALS

HELD AT _____ ON _____ TIME _____

AND WHEREAS, at the time of according AA to the said project, though the Authority was established & working, WRD issued instructions to GMIDC and VIDC on May 9, 2007 to seek MWRRRA's clearance before submitting the proposal for according AA;

AND WHEREAS, the said project is in advance stage of construction;

RESOLUTION NO 19

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT pursuant to the provisions in section 11(f) of the MWRRRA Act, 2005 Clearance be given to the Chandi Nadi (Minor) Project, Taluka Nandgaon, District Amravati.

It is further resolved that the Project Proponents be communicated that they will be responsible for compliance of provisions in Environmental (Protection) Act 1986 and Notification issued by Ministry of Environment and Forest from time to time.

The Resolution along with the Authority'Order passed unanimously.

Item No 2 - Clearance to Mahagaon Minor Irrigation Project, Taluka Darvha, District Yavatmal under Section 11 (f) of the MWRRRA Act, 2005

The Agenda Note was discussed in depth and having considered it carefully, the Authority has passed the following resolution:

WHEREAS, the Executive Director, Vidarbha Irrigation Development Corporation (VIDC), Nagpur vide letter No. 105533/VIDC/D.T.-3(1)/ (33/2017) dated November 17, 2017 has submitted the proposal of Mahagaon Minor Irrigation (MII) Project, Taluka Darvha, District Yavatmal for the clearance of the Maharashtra Water Resources Regulatory Authority (MWRRRA);

AND WHEREAS, the State Government accorded Administrative Approval (AA) to the project on December 21, 2006 and 1st RAA on August 14, 2009;

AND WHEREAS, Government Resolution No. Misc/2015/(425/2015)/ Medium Project dated November 16, 2016 has mandated prior approval of the MWRRRA under Section 11(f) of MWRRRA Act 2005, if the project undergoes change in scope;



HELD AT _____ ON _____ TIME _____

AND WHEREAS, the proposal for Second RAA has been scrutinized by State Level Technical Advisory Committee, and recommended with its observations;

AND WHEREAS, as per the provision in Para 2.2 of the GR dated November 16, 2016, project under consideration does not undergo change in scope and hence does not require Authority's clearance;


AND WHEREAS, the Secretary level sub-committee under the Chairmanship of Additional Chief Secretary (Finance) consented the proposal of Second RAA in the meeting dated April 18, 2017 with condition that the clearance of MWRRRA be obtained as the original AA to the project was accorded after the constitution of MWRRRA;

AND WHEREAS, The proposal was scrutinized under Section 11(f) of the MWRRRA Act, 2005 with respect to the following parameters;

- (i) THAT, the Integrated State Water Plan - Godavari basin, wherein the project is located, is prepared by River Basin Agency and approved by the State Water Council on November 30, 2017 and the said project was shown in the list of Priority - 1 projects under VIDC;
- (ii) THAT, the hydrological criteria and economic criteria in respect of this project appear to be viable;
- (iii) THAT, as per SLTAC report, MoEF, Govt's Notification of September 14, 2006 was then applicable and as per that SEIAA's Environment Clearance was required and now as per MoEF's June 25, 2014 Notification, Environment Clearance is not required for projects having less than 2000 ha irrigable area;
- (iv) THAT, at the time of according AA to the said project, the Hon'ble Governor's directives for the 2006-07 were applicable and there was no ban on taking up new projects in irrigation backlog region in the said directives and thus the said project was then compatible with the then Hon'ble Governor's directives;

AND WHEREAS, all the prescribed criteria aforesaid mentioned which are necessary for according MWRRRA's clearance under Section 11(f), were then fulfilled;

AND WHEREAS, at the time of according AA to the said project, though the Authority was established & working, and the WRD made it obligatory to the GMIDC & VIDC to seek MWRRRA's clearance before submitting the proposal for according AA to the project on May 9, 2007;


CHAIRMAN'S INITIALS

HELD AT _____ ON _____ TIME _____

RESOLUTION NO 20

NOW, THEREFORE, IT IS HEREBY RESOLVED THAT pursuant to the provisions in section 11(f) of the MWRRRA Act, 2005 Clearance be given to the Mahagaon Minor Irrigation (MI) Project, Taluka Darvha, District Yavatmal.

It is further resolved that the Project Proponents be communicated that they will be responsible for compliance of provisions in Environmental (Protection) Act 1986 and Notification issued by Ministry of Environment and Forest from time to time.

The Resolution along with the Authority Order passed unanimously.

The meeting ended by thanking to the Chairman.


(V. M. Kulkarni)
Chairman, MWRRRA

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Authority Resolution No. 20 of 2018

WHEREAS Authority in exercise of powers conferred by Section 11 (a) of MWRRRA (Amendment and Continuance) Act, 2011 and Section 11(q) of the MWRRRA Act, 2005 has evolved the Criteria for distribution of Surface Water Entitlements by River Basin Agencies for Domestic & Industrial Uses vide Order dated September 22, 2017;

AND WHEREAS there is no criteria specified for Distribution of Entitlement to Integrated Township Projects in Table 1 of the Criteria dated Septemeb22, 2017;

AND WHEREAS Urban Development Department, Government of Maharashtra vide notification no TPS - 1816/CR-368/15/20(4)/UD-13 dated December 26, 2016 has mandated safe and portable drinking water at the rate of 90LPCD exclusive of requirement of water for fire fighting and gardening purpose;

AND WHEREAS Water Resources Department has sought clarification on norms of Domestic Water Use for Integrated Township Projects;

AND WHEREAS Authority is of the view that gardening and fire fighting demands need to be managed from recycled water and water that can be made available from rain water harvesting;

NOW THEREFORE IT IS HEREBY RESOLVED THAT, the Criteria of 90 LPCD for distribution of drinking water entitlement to Integrated Township Projects / Townships in Hill Stations notified by Urban Development Department is approved;

FURTHER RESOLVED THAT, Addendum to Authority's earlier Order dated September 22, 2017 be issued accordingly.



(V.M.Kulkarni)

In-charge Chairman, MWRRRA

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