

## Procedure for Filing Petition

- 1) *The following categories of Bulk Water Users are only eligible to petition the Authority/Primary Dispute Resolution Officer through their Authorized Representatives—*
  - (a) Water User Associations at minor level, distributary level, canal level, project level, natural flow system.
  - (b) Domestic Water User Utilities such as the Maharashtra Jivan Pradhikaran, Maharashtra Industrial Development Corporation, Municipal Corporations, Urban Local Bodies, Gram Panchayats.
  - (c) Industrial Users such as Maharashtra Industrial Development Corporation, privately owned industrial estates.
  - (d) Other individual Bulk Water users having an agreement with the Water Resource Department.
  - (e) Any registered organisation representing officially the interests of any of the above.
  
- 2) *Institution, form and content of Pleadings—*
  - (1) All applications/appeals shall contain a clear and concise statement of the facts with material particulars, the cause of action, the relief sought, the applicable provisions of law.
  - (2) The application/appeal ought to include the following particulars—
    - (a) the statutory provisions and the Regulations under which the same is being filed before the Authority;
    - (b) reasons why the Authority has jurisdiction to try, entertain and dispose of the same;
    - (c) whether filed within the specified time frame and whether the applicant/appellant is seeking condonation of delay and on grounds thereon;
    - (d) a statement of disclosure whether the applicant/appellant has filed any other application/appeal in any of the court in India in respect of the subject matter and if so the details thereof.
  - (3) All pleadings to be filed before the Authority are to be handwritten/ typewritten/ cyclostyled/printed, neatly and legibly on one side of durable paper with consecutive page numbering. The contents of the pleadings are to be divided appropriately into separate paragraphs, numbered serially. The sums and numbers to be expressed in both words and figures. The pleadings shall be in English or Marathi. Every alteration, interlineations and erasure in the pleading is to be initialed.
  - (4) The appropriate fee shall be affixed on the pleading or shall be paid at the time of filing of the pleading as determined by the Authority in terms of the Maharashtra Water Resources Regulatory Authority (Fees & Charges) Regulations, 2013—
  - (5) The pleadings shall be accompanied by copies of such documents certified as true copies of the originals, supporting data and statements, as are relevant to the pleadings along with an index thereof.
  - (6) All pleadings are to be filed in six identical copies or such other number of copies if the Authority so directs and all such copies to be complete in all respects and the Authority may in addition seek copies of the pleadings to be filed in an electronic form, on such terms and conditions, as the Authority may direct.
  
- 3) *General Headings/Face sheet—*

The general headings in all pleadings before the Authority and in all notices including public notices shall be in Form 1 annexed hereto.

4)

*Affidavit in Support—*

- (1) All pleadings are to be verified by an affidavit and every such affidavit shall be in the format as prescribed in Form 2 annexed hereto.
- (2) Every affidavit shall be drawn up in the first person and shall state the full name, age, occupation and address of the deponent and the capacity in which the deponent is signing and shall be signed and sworn before a person lawfully authorized to take and receive affidavits.
- (3) Every affidavit shall clearly and separately indicate the statements which are true to the—
  - (a) knowledge of the deponent,
  - (b) information received by the deponent and
  - (c) belief of the deponent.
- (4) Where any statement in affidavit is stated to be true to the information received by the deponent, the affidavit shall also disclose the source of the information and a statement that the deponent believes that information to be true.

5)

*Presentation, Scrutiny and Admission of Pleadings—*

All pleadings accompanied by a Memorandum of Authorization (Form 4 hereto) are to be presented in person or by any authorized representative/agent of the applicant /appellant/respondent to the Receiving Officer at the head office of the Authority during business hours or at such other place or places and during the time as may be directed by the Authority from time to time. The Pleading may in the alternate be sent by registered post with acknowledgment due to the Authority at the places mentioned above.

6)

*Fees on Application—*

- (1) Every application made to the Authority shall be accompanied by fees or charges specified in Schedule I to these Regulations.
- (2) The fees or charges payable under these Regulations shall be paid by a bank draft or pay order drawn in favour of the 'Secretary, Maharashtra Water Resources Regulatory Authority' payable at Mumbai or may be paid in cash at the office of the Authority for an amount not exceeding Rs. 500. A photocopy of the cash receipt should be attached to the application.

**Form 1**

[See Regulation 13]

**(General Headings for Pleadings / Face sheet)**

**BEFORE THE MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY, MUMBAI**

Filing No.

Case No.

(To be filled by the Office)

**IN THE MATTER OF:**

(Gist of the purpose of the application)

AND

**IN THE MATTER OF:**

(Name and full address of the applicant(s) and name and full address of the respondent(s))

Facts of the case to be stated in brief

Submissions/Grounds in support of the case.

Relief clause: Relief prayer made in the application be stated shortly and specifically.

Place:

Date:

Signature of the Applicant

Form 2

[See Regulation 14 (i)]

BEFORE THE MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY,  
MUMBAI

Filing No.

Case No.

(To be filled by the Office)

IN THE MATTER OF

(Gist of the purpose of the application) AND

IN THE MATTER OF

(Name and full address of the applicant(s) and name and full address of the respondent(s))

***Affidavit***

I, ..... son of ..... aged.....residing at .....  
do solemnly affirm and state as under:

1. I am the Director/Secretary/Partner/authorized representative of.....  
the applicant/respondent in the above matter and am duly authorized and competent to swear  
this affidavit.
2. The statements made in paragraphs .....of the application/reply are true to my  
knowledge and belief and statements made in paragraphs ..... to ..... are based on  
information and words and believed by me to be true.
3. I say that there are no Proceedings pending in any court of law/ tribunal or arbitrator or any  
other authority, wherein the applicants are a party and where issues arising and/or reliefs  
sought are identical or similar to the issues arising in the matter pending before the  
Authority.

Deponent

Verification:

Verified at ..... on this....day of..... that the contents of the above affidavit are  
true to my knowledge and no part of it is false and nothing material has been concealed there from.

( )

Identified before me

(Deponent)

Mumbai,

Dated:

Secretary

**Form 4**

[See Regulations 15(1)]

**BEFORE THE MAHARASHTRA WATER RESOURCES REGULATORY AUTHORITY, MUMBAI**

Case No. /

In the matter of

..... Applicant(s)/Appellant(s)

V/s

..... Respondent(s)

**Memo of Authorization**

I/We, ..... the applicant/appellant/respondent above named do hereby nominate, appoint and constitute....., to act, plead and appear on my/our behalf in the aforesaid matter.

IN WITNESS WHEREOF I/We have set and subscribed my/our hands to this writing on this ..... day of.....

Place: \_\_\_\_\_

Signature

[Applicant/Appellant/Respondent]

Date : \_\_\_\_\_

Address for Correspondence

I/We accept

.....

*SCHEDULE I*  
**Fees and Charges**

Sr.No. (1)	Description (2)	Fees in Rupees (3)
1.	Application from bulk water users for Review of Tariff orders of the Authority—	
	(1) by Industries and Municipal Corporations	2,000
	(2) by Water User Associations, Gram Panchayats and Urban Local Bodies	500
	(3) Other Water User Entities like Research Institutes	1,000
2.	Appeal against order of Primary Dispute Resolution Officer—	
	(1) by Water User Associations relating to Entitlement for agricultural user	500
	(2) by Gram Panchayats and Urban Local Bodies relating to Entitlement for domestic water	500
	(3) by Industries, Municipal Corporations relating to Entitlement for industrial use and domestic water use respectively	1,500
3.	Miscellaneous applications	2,000

**Note:** 1) For details, please refer Maharashtra Water Resources Regulatory Authority (Conduct of Business) Regulations,2013, Maharashtra Water Resources Regulatory Authority(Fees & Charges) Regulations,2013 as amended from time to time.

2) The Authority may, at any time, vary, modify or amend any of the above provisions.