



महाराष्ट्र जलसंपत्ती नियमन प्राधिकरण

(महाराष्ट्र जलसंपत्ती नियमन प्राधिकरण अधिनियम, २००५ चे कलम ३ अन्वये स्थापित वैधानिक प्राधिकरण)

Maharashtra Water Resources Regulatory Authority

(A Statutory Authority Established u/s 3 of Maharashtra Water Resources Regulatory Authority Act, 2005)



स्वातंत्र्याचा अमृत महोत्सव

No. MWRRA/2024/PRCL/VIDC/149/414

Date : 18/07/2024

To,

Executive Director,

Vidarbha Irrigation Development Corporation,

Sinchan Seva Bhavan, Civil Lines,

Nagpur 440 001.

Sub: Post-facto Clearance of MWRRA under Section 11(f) of MWRRA Act, 2005 to Administrative Approval of Kharda Minor Irrigation Project, Taluka Bhabhulgaon, District Yavatmal.

Ref : का. सं. विपाविम, नागपूर यांचे पत्र क्र. १७९४/खर्डा ल.पा.यो /कातां -३(१)/(धा. २२७)/विपाविम/२०२३ दि. ०५/०३/२०२४

Executive Director, Vidarbha Irrigation Development Corporation, Nagpur ("Project Proponent" for short) vide letter under Reference submitted the proposal of Administrative Approval (AA) of Kharda Minor Irrigation Project, Taluka Bhabhulgaon, District Yavatmal for the Post-facto clearance of Maharashtra Water Resources Regulatory Authority ("Authority" for short) under Section 11(f) of the MWRRA Act, 2005.

Kharda Minor Irrigation Project proposed on local nalla in the Wardha sub-basin of Godavari basin near village Sarul. An AA has been accorded to the said Project on 19/12/2006 for Rs. 29.16 crores (RSR 2005-06) by the State Government. It was proposed to irrigate 1175 ha with a Total Storage of 10.573 Million Cubic Meters (MCM).

At the time of AA, it was stated that no forest land or any villages would be affected. However, during the construction of the said Project, it was observed that the submergence area increased significantly as compared to the AA proposal. Further, forest land and village Sarul are affected and thus the Controlling Levels of the Dam is revised. As per the 1st Revised Administrative Approval (RAA) proposal, 87% of the Earthen Dam, 86% of the spillway, and 90% of the Regulator work is completed and the work of the canal is balance. The said Project needs to acquire 406.73 ha of land, out of which 134.67 ha of land is acquired including 39.45 ha of forest land. The proposed 1st RAA cost of the said Project is 361.84 Crores (RSR 2021-22) and Rs. 35.93 crore spent till March 2022.

As there is no change in irrigable command area or live storage of the said Project between AA and 1st RAA, the Authority's clearance as per the Water Resources Department's Government Resolution dated 16/11/2016, will not be required for the 1st RAA proposal of said project. However, the State Level Technical Advisory Committee, during the scrutiny of said proposal, commented that the said project receives AA after the establishment of the Authority, thus the said project requires clearance from the Authority.

The Maharashtra Water Resources Regulatory Authority Act, 2005 was enacted on 08/06/2005. Water Resources Department, vide letter dated 09/05/2007 directed Executive Director, Godavari Marathawada Irrigation Development Corporation, Aurangabad and Executive Director, Vidarbha Irrigation Development Corporation, Nagpur that before according AA to Irrigation Project, it is necessary to take clearance of projects under Section 11(f) of the MWRRA Act 2005 from the Authority. The said Project received AA before 09/05/2007, hence clearance under Section 11(f) of the MWRRA Act 2005 from the Authority was not taken.

On scrutiny of the AA proposal of the Kharda Minor Irrigation Project with respect to provisions in Section 11(f) of the Act and the policy of the Authority for clearance of projects under Section 11(f) of the Act, it is observed that;

- a) At the AA stage of the said Project, it was proposed to irrigate 1175 ha with a Total Storage of 10.573 MCM. The annual water use of the said project is 10.524 MCM, out of which 7.04 MCM is for Irrigation use, 1.371 MCM for

drinking and 2.113 MCM for Evaporation. However, as per the 1st RAA proposal, Total Storage is 9.6168 MCM & Annual water use is 9.737 MCM.

- b) The Integrated State Water Plan (ISWP), approved by the State Water Council under Section 16(4) of the Act, has specified annual water utilization for the Kharda Minor Irrigation project as 10.524 MCM and Total Storage as 10.625 MCM on Page No. 125 of Volume II A of ISWP which is slightly more than as per AA proposal of said Project. However, the detail of water use and storage in the ISWP needs to be corrected as per the proposed 1st RAA proposal.
- c) At the time of AA, Chief Engineer (Planning & Hydrology) Nashik gave a water availability certificate of 10.75 MCM to the said project on 02/09/2006 at 50% dependability.
- d) At the time of AA, the cost of said project was Rs. 29.16 crores based on the Schedule of Rates for the Year 2005-06 and the B/C ratio was 1.12 which was more than 1.00, a norm for Minor projects. The Cost per Thousand Cubic Meters of said Project was Rs. 27,603/- which is within the norm of Rs. 32,684/- for the Backlog Area as per the Water Resources Department's Government Resolution dated 04/09/2006.
- e) At the time of AA, the Ministry of Environment & Forest's (MoEF) Guidelines of 14/09/2006 were in force and the said project did require environmental clearance. Further, at present, MoEF's 14/08/2018 Guidelines are in force and according to that, the said Project does not require environmental clearance. At the time of AA, the Project Proponent stated that said Project does not involve the diversion of any forest land. However, as per the 1st RAA proposal, the said Project needs to acquire 39.45 ha of forest land and MoEF accorded final clearance to diversion of that forest land on 21/07/2022.
- f) At the time of AA, the Hon'ble Governor's Directives for FY 2006-07 were in force and according to the said directives, there was no restriction on taking up new irrigation projects. The said project is an ongoing project and Rs. 35.93 crore expenditure has been incurred till March 2022.

Thus, the said Administrative Approval proposal appears to be consistent with the mandatory requirements provided in Section 11(f) of the Act and the policy of the Authority for clearance of projects under Section 11(f) of the Act.

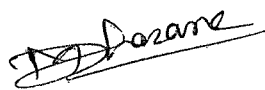
However, as seen from the State Level technical Advisory Committee's Report, the said Project is not meeting any economic norms as per the 1st RAA proposal i.e. B/C ratio is 0.148 which is less than the norm of 1.00, Internal Rate of Return is 0.50% which is less than the norm of 10.00% and Cost per Thousand Cubic Meter of said Project is Rs. 4,01,130/- which is more than the norm of Rs. 1,22,132/- as per Water Resources Department's Government Resolution dated 13/07/2018. Therefore, the State Level Technical Advisory Committee has stated in Para 27 (4) of its Scrutiny Report that the said Project needs to be reconsidered at the State Government Level. Thus, the State Government needs to reconsider taking up said Project.

Now, therefore, this Authority has directed me to convey you that the said Administrative Approval proposal is suitable for Post-facto clearance. Hence, Post-facto clearance is hereby accorded to the Administrative Approval proposal of Kharda Minor Irrigation Project, Taluka Bhabhulgaon, District Yavatmal.

Hence this communication.

(By the Order of the Authority)




(Mallikarjun Dharane)
Secretary, MWRRRA

Copy to :

- 1) Additional Chief Secretary (WRP & D), Water Resources Department, Mantralaya, Madam Cama Road, Mumbai - 400 032
- 2) Principal Secretary to the Hon. Governor, Raj Bhavan, Malabar Hill, Mumbai - 400 035.
- 3) Chief Engineer (WR), Water Resources Department, Sinchan Bhavan, Shivaji Nagar, Camp, Amravati - 444 603.
- 4) Superintending Engineer, Yavatmal Irrigation Project Circle, Vaghapur Road, Yavatmal - 445001.