



# 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)

File No. MWRRA/2025/Legal/Case No. 1 (2025)/244

Date : 19/05/2025

Case No. 1 of 2025

An Appeal under Section 22 of Maharashtra Water Resource  
Regulatory Authority Act, 2005 filed by Pune Municipal  
Corporation, Pune challenging the Primary Dispute Resolution  
Officer's Order dated 18/07/2023 regarding bills raised against water  
supply to its citizens for industrial purposes

Please find enclosed herewith a copy of MWRRA Order No. 01/2025  
dated 19/05/2025 in the above matter.

Encl : As Above



*M. Dharane*  
(Mallikarjun Dharane)  
Secretary, MWRRA

### Copy for information & necessary action to :-

- 1) Adv. Priti Purandare, Office No. 6 & 7, Ground Floor, Gindecha Chamber,  
N. M. Road, Fort, Mumbai - 400001
- 2) Chief Engineer (WR), Water Resources Department, Sinchan Bhavan,  
Barne Road, Mangalwar Peth, Pune - 411 011
- 3) Superintending Engineer, Pune Irrigation Circle, Sinchan Bhavan, Barne  
Road, Mangalwar Peth, Pune - 411 011

- 4) Executive Engineer, Chaskaman Irrigation Division, New Administrative Building, 10, Bund Garden Road, Opposite Council Hall, Pune - 411001
- 5) Executive Engineer, Khadakwasla Irrigation Division, Sinchan Bhavan, Barne Road, Mangalwar Peth, Pune - 411 011



# 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)

ORDER NO. 01/2025

Case No. 1 of 2025

An Appeal under Section 22 of Maharashtra Water Resource Regulatory Authority Act, 2005 filed by Pune Municipal Corporation, Pune challenging the Primary Dispute Resolution Officer's Order dated 18/07/2023 regarding bills raised against water supply to its citizens for industrial purposes

Pune Municipal Corporation  
Shivaji Nagar, Pune

....Appellant

---Vs---

- 1) Chief Engineer (WR), Water Resources Department, Sinchan Bhavan, Barne Road, Mangalwar Peth, Pune - 411011
- 2) Superintending Engineer, Pune Irrigation Circle, Sinchan Bhavan, Barne Road, Mangalwar Peth, Pune - 411011
- 3) Executive Engineer, Chaskaman Irrigation Division, New Administrative Building, 10, Bund Garden Road, Opposite Council Hall, Pune - 411001

- 4) Executive Engineer, Khadakwasla Irrigation Division, Sinchan Bhavan, Barne Road, Mangalwar Peth, Pune - 411011

....Respondents

Adv. Priti Purandare Advocate for the Petitioners



**Coram : Dr. Sanjay Chahande, Chairperson**  
**CA. Shwetal A. Thakare, Member (Economics)**

**Date : May 19, 2025**

1. Pune Municipal Corporation (PMC), Pune through Adv. Priti Purandare, vide letter dated 23/12/2024 filed an Appeal under Section 22 of Maharashtra Water Resources Regulatory Authority (MWRRA) Act 2005 challenging the Primary Dispute Resolution Officer's (PDRO) Order dated 18/07/2023 regarding bills raised for the supply of water for industrial purposes for its citizens before the MWRRA. The Petitioners prayed for the following reliefs in their Petition;

- (a) *The delay in filing the present Appeal be kindly condoned.*
- (b) *The records and proceedings of the order dated 18/07/2023 in Complaint No. 3 of 2023 be called for.*
- (c) *The order dated 18/07/2023 passed by the Primary Dispute Resolution Officer be declared as frivolous, bad in law and be set aside.*
- (d) *To direct the Pune Irrigation Authority to issue revised bills after considering the aforesaid facts.*
- (e) *To direct the Pune Irrigation Authority to adjust sum of Rs 253.38 crores paid towards Industrial user and STP Charges and as charged for period from March 2016-June 2022*
- (f) *To set aside the amount charged for non execution of agreement for period July 2018 to June 2019 by Pune Irrigation Authority & to direct them to charge without penalty*
- (g) *Any other order as deemed fit and proper.*

2. As per the MWRRA (Conduct of Business) Regulation, 2013, the primary scrutiny to see the technical compliance before the admission of the Petition is to be done by the Secretary of the Authority. Once this is fulfilled, then the issue of admissibility is to be dealt with. In this context, the Regulations 15(7) of MWRRA (Conduct of Business) Regulation, 2013 reads as follows:



*"The Authority may admit the application / appeal for hearing without requiring the attendance of the applicant / appellant. However, the Authority shall not pass an order refusing admission of the applicant / appellant without giving the party concerned an opportunity of being heard. The Authority may, if it considers appropriate, issue notice to such person or persons, as it may desire to hear on the admission of applicant / appellant".*

The Authority heard the matter on admissibility on 04/03/2025.

3. Adv. Priti Purandare appeared for the Appellants and argued for the admissibility of the case and the issue under consideration is that of Entitlement and thus the case be heard under Section 22 of MWRRA Act, 2005. Adv. Purandare argued that a total amount of 16.36 Thousand Million Cubic feet (TMC) water is granted by the River Basin Agency. Still, the Appellant cannot utilize the said amount of water. This amount is the authorization given by the River Basin Agency as per the agreement. Adv. Purandare further argued that the entitlement of different categories of users i.e. domestic, industrial and commercial is also not calculated and is under dispute. Adv. Purandare further submitted that new water bills are raised without addressing her primary issue of entitlement and thus, it is necessary to settle the issue of entitlement by this Authority.

The Authority directed the appellant to file an affidavit, bringing out issues related to disputes of Entitlements and admissibility of this matter under section 22 of the MWRRA Act, 2005.

4. The appellant filed the affidavit on 19/03/2025. Thereafter the Authority conducted second hearing on 20/03/2025. During the hearing, the Authority admitted the case and directed the appellant to file affidavit on following points:
  - a. Whether Pune Municipal Corporation has agreement with Water Resources Department about 2.23 TMC which is supplied to Grampanchayats and Private Institutions?
  - b. To which organization/Urban Local Bodies/ Local Bodies (Pune Municipal Corporation / Grampanchayats and Private Institutions)



Water Resources Department has sanctioned 2.23 TMC quota or has agreement of the same for supply of water from New Mutha Right Bank canal to the villages and concerned organization.

- c. Which organisation/body is paying for 2.23 TMC Water?
5. The appellant accordingly filed an affidavit on 07/04/2025. In the affidavit, it is submitted that, PMC does not have any agreement with Water Resource Department about 2.23 TMC which is supplied to Grampanchayats and Private Institutions. By Government Notification, these total of 34 villages were included in the Jurisdiction of PMC. However, the Appellant submitted that, PMC has received letter from Superintending Engineer, Pune Irrigation Circle, Pune dated 02/07/2021 regarding inclusion of 1.75 TMC water reservations of added villages in PMC. The affidavit has given the list of Grampanchayats/Institutions for which Water Resource Department sanctioned 2.23 TMC quota. The affidavit further states that, PMC is paying for 1.76 TMC of Water.
6. Thus, PMC has an agreement of total 14.61 TMC of water with the State Department. In addition, PMC has authorisation of 1.75 TMC of Water as per Superintending Engineer letter dated 02/07/2021. Further, it is seen that they are paying for this water too. The argument of the PMC is that this total authorisation should be considered as baseline for calculating the penal charges as per MWRRA Bulk Water Tariff Order, 2018. In the order of Superintending Engineer dated 29/10/2023, which is under dispute, it is seen that he has calculated norm base water quota for the PMC in the year 2023-24. However, as per the contention of the PMC additional quota of 1.75 and corresponding population has not been taken into consideration.
7. Considering above points, the following issues emerge:
- (i) This case falls under Section 22 of the MWRRA Act, 2005 as the case of Entitlement.
- (ii) Prima facie the authorisation given as per order of Superintending Engineer 02/07/2021 and the corresponding population has not been considered in the order dated 29/08/2023



(iii) Superintending Engineer who has passed this order dated 18/07/2023 is not the Competent Authority declared by the State Government under Section 22 of the MWRRA Act, 2005 as per Government Resolution dated 25/08/2009. The Chief Engineer (I), Water Resources Department, Pune is the Competent Authority (PDRO) for this matter.

### Order

8. Having heard the parties to the litigation, and after giving due consideration to the documents as well as data on record, submissions made by the parties, this Authority, hereby orders as under:
- a) The Pune Municipal Corporation, Pune should approach the Competent Primary Dispute Resolution Officer.
  - b) Further, the concerned PDRO is directed to take into consideration the above Point No. (ii) while trying the case.
  - c) PDRO should dispose this matter within 3 months.
  - d) The Petition under Case No. 01/2025 stands disposed off.

Delivered on May 19, 2025.

Sd/-

(CA. Shwetal A. Thakare)  
Member (Economics)

Sd/-

(Dr. Sanjay Chahande)  
Chairperson



*M. Chahande*  
SECRETARY  
MAHARASHTRA WATER RESOURCES  
REGULATORY AUTHORITY  
World Trade Centre-1, 9th Floor,  
Cuffe Parade, Mumbai-400 005.

