

Minutes of the 40th Meeting of the Authority held on 09.03.2022 at 03:00 PM through VC under the Chairmanship of Sh. Karan Avtar Singh, Chairperson PWRDA.

Present: Sh. Sushil Gupta Member and Dr. Surinder Singh Kukal Member.

In attendance: Mr. J K Jain Additional Secretary, and Jobanpreet Singh XEN.

Item No.40.01: Confirmation of the Minutes of 39th meeting of PWRDA.

The minutes of 39th meeting were emailed to all concerned on 26.02.2022. No comments received. May be confirmed.

Decision: *Confirmed.*

Item No.40.02: Action Taken Report:

ATR on the decisions taken in 39th Meeting of the Authority is as under:

Item No. 39.03: Request for Extra Ordinary Leave by Sh. Arunjit Singh Miglani.

Necessary orders have been issued.

Item No. 39.04: Regarding Impact Assessment Report.

TOR as approved have been circulated.

Item No. 39.05: Renewal of Contractual Employment of Shri Gurbachan Singh, Private Secretary.

Necessary orders have been issued.

Item No. 39.06: ਪੰਜਾਬ ਜਲ ਨਿਯੰਤਰਨ ਤੇ ਵਿਕਾਸ ਅਥਾਰਟੀ ਵਿਚ ਮੈਨੇਜਰ ਅਕਾਊਟਸ ਦੀ ਅਸਾਮੀ ਭਰਨ ਸਬੰਧੀ।

Further necessary action will be taken after 10.03.2022.

Item No. 39.07: To re-designate the post of Senior Manager (A&C) PWRDA

Noted.

Decision: *Noted.*

Item No 40.03: Decision regarding Impact Assessment Report to be submitted by the Users under Punjab Directions for Groundwater Extraction and Conservation, 2022.

1. An order dated 23.11.2021 passed under Section 5 of Environment (Protection) Act, '1986 was received from CGWA regarding mandatory requirement of Impact Assessment Report / Comprehensive Hydrogeological Report for issuance of No Objection Certificate for ground water withdrawal by State / UT Ground Water Authority. The Directions issued by CGWA in this regard are as below:

A. The No Objection Certificate for ground water withdrawal shall not be issued to the Project Proponents without the mandatory submission of impact Assessment Report /Comprehensive Hydrogeological Report, as the case may be, of the proposed project. The format of impact Assessment Report and Comprehensive Hydrogeological Report are available on the official web-portal of CGWA.

This issue has been addressed in Punjab Directions for Groundwater Extraction and Conservation, 2022. Wherein it has been provided that:

- i. units extracting more than 6,00,000 cubic metres in any month will be required to submit an Impact Assessment Report to the Authority in the format as specified by the Authority within 6 months of applying for Permission for Extraction.
- ii. Extraction of brackish/saline ground water in a pocket where the aquifers at all levels up to 300 metres depth contain only brackish/saline ground water will be permitted on payment of only 25% of the applicable Groundwater Charges. No water conservation credits shall be available in such cases. To avail this discount a User seeking Permission for extracting more than 1,500 cubic metres of groundwater per month shall submit a hydro-geological report detailing the contours of the brackish/saline aquifer and its potential, and an assessment of the risk of mixing of good quality water due to extraction of brackish/saline water. Such hydro-geological report shall cover a radius of 2 kilometers around the Unit.

B. The impact Assessment Report / Comprehensive Hydrogeological Report shall be prepared by such consultant / hydrogeologist accredited by Rajiv Gandhi National Ground Water Training institute and Research institute (RNGWTRI) and such Ground Water consultant organizations accredited by National Accreditation Board for Education and Training (NABET). The list of accredited individuals / institutions is available on the official web-portal of CGWA.

The methodology adopted by CGWA in this regard is given below:

1. CGWA in February and June 2021 had empaneled the Rajiv Gandhi National Groundwater Training and Research Institute and National Accreditation Board for Education and Training for accreditation of professional agencies/individuals for preparation of impact assessment reports (**Annexure-A1**).
2. Subsequently CGWA had formulated an accreditation policy to shortlist the Agencies/Individuals in June, 2021 (**Annexure-A2**).
3. In February, 2022 CGWA had issued a Standard Operating Procedure for impact assessment reports and comprehensive hydrogeological reports (**Annexure-A3**).

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4. Accordingly, the list of Accredited Individuals and Institutions available on the website of CGWA is attached as **Annexure-A4**.
The above details have been obtained from CGWA website.

Authority may decide to adopt the list of Individuals and Institutions Accredited by CGWA for preparing report as per provisions of the Directions, 2022.

- C. *The State / UT Ground Water Authorities shall constitute an Expert Committee of Members with suitable qualifications and experience, for the evaluation of impact Assessment Report / Comprehensive Hydrogeological Report (prepared by accredited individual / organization) submitted by the project proponent, and only after needful appraisal / examination of such reports by the Committee, the No Objection Certificate for ground water withdrawal shall be issued to the Project proponent.*

The formation of an expert committee for evaluation of Impact Assessment Report / Comprehensive Hydrogeological Report may be considered by the Authority.

Technical experts from the fields of Engineering, Agriculture, Ground Water Modelers, Scientists, Social Impact Assessment Expert etc. may be considered for this purpose.

Submitted for consideration and approval of the Authority.

- Decision:**
- a) The Standard Operating Procedure (SOP) issued by CGWA for preparation of Project Impact Assessment Report shall be adopted by a Unit required to submit its impact assessment report in accordance with the Directions, 2002.*
 - b) For preparation of Project Impact Assessment Report & Comprehensive Hydrogeological Report in accordance with the Directions 2022, Users may choose a consultant from the list of Individuals & Institutions accredited by CGWA as updated from time to time. Since Units are required to provide an impact assessment report based on hydrogeological modelling, they may choose a consultant who is approved for this purpose by CGWA.*
 - c) the SOP issued by CGWA for Comprehensive Hydrogeological Report can be modified in accordance with the provisions of the Directions 2022. Addl. Secretary was directed to do the needful and place it before the Authority.*
 - d) Formation of an expert committee for evaluation of Impact Assessment Report / Comprehensive Hydrogeological Report was deferred.*



Item No 40.04: Empowering the Deputy Commissioners/District Magistrates in the state of Punjab for implementing Directions of the Authority.

1. The Government of Punjab had designated Punjab pollution Control Board, Patiala as Implementing Agency for Punjab Water Regulation and Development Authority, under Section 29 of the Punjab Water Resources (Regulation and management) Act, 2020.
2. Subsequently PPCB had expressed its inability to act as the Implementing Agency for the Authority and the matter is still under consideration with the Government.
3. Now as the Authority is going to publish its Direction for Ground Water Extraction and Conservation, 2022. It is necessary that a suitable mechanism is set in place for implementation of these Directions at the grass root level.
4. CGWA, in its Guidelines of 24.09.2020 has authorized the District Collectors/Deputy Commissioners (DCs) /District Magistrates (DMs) to take enforcement measures like sealing of unauthorized ground water abstraction structures, disconnection of electricity, launching of prosecution against those violating the No Objection Certificate conditions and taking action for imposition of Environmental Compensation.

Therefore, in the absence of Implementing Agency, the Authority may consider under Section 29 of the Punjab Water Resources (Regulation and management) Act, 2020 to write to the state Government for constitution of a District level Implementation Committee under the chairmanship of concerned Deputy Commissioner (DC) /District Magistrate (DM) for implementation of the Directions 2022.

This District Level Implementation Committee shall ensure the compliance of all the Directions of the Authority under Section 15 from time to time.

5. Accordingly, the Authority may decide the structure/composition of the proposed District Level Implementation Committee.

Submitted for consideration and approval of the Authority.

Decision: *Government is requested to issue orders under Section 29 of the Punjab Water Resources (Regulation and management) Act, 2020 to constitute a District Implementing Committee for the implementing the Directions of the Authority. The District Implementing Committee for Water Regulation and Development (DICWRD) may be headed by the Deputy Commissioner (Chairperson), and comprise of Executive Engineer Canals (Member Secretary), Executive Engineer Drainage cum Mining (Member), District Development and Panchayats Officer (Member), Executive Engineer Panchayati Raj (Member) and Divisional Soil Conservation Officer (Member). Additional Deputy Commissioner (Urban*

Development) may be the Vice-Chairperson of the Committee and all Sub-Divisional Magistrates of the District may be members. The Deputy Commissioner may co-opt any members as may be required from time to time, to ensure the proper implementation of Directions of the Authority.

The DICWRD may conduct monthly meetings and send its minutes to the Government (Department of Water Resources) and to the Authority. The Authority shall review the progress of DICWRD's from time to time and issue such orders to the DICWRD as may be required to ensure the implementation of its Directions and to achieve the objectives and purposes of the Act.

Item 40.05: Approval of Bid for the tender for Selection of Service Provider for providing various Support Services to PWRDA

- a. In compliance with Authorities' taken in 31st Meeting held on 10.11.2021 (copy attached as **Annexure-A5**) E-Tender no. 2021_WR_80614_1 for selection of Service Provider for providing various Support Services to PWRDA was floated on 29.12.2022 on the EPROC website. The last date for submission of Bid was 21.01.2022.
- b. 3 bidders as detailed below had submitted their Bids for the tender, namely:
 - i. **SS Services Providers**
 - ii. **TDS**
 - iii. **Gretis India**
- c. The technical bid of the tender for selection of a Service Provider to provide the support services to PWRDA was opened on 21.01.2022 by the Bid Evaluation committee comprising SM(A&C), Xen, Manager ACS and all the Bidders were found to be eligible based on the documents submitted by them.
- d. The process for opening the financial bid for the tender was initiated on 25.01.2022. However, on the eproc portal the process of opening the Financial BID has been halted at the step where the successful bid is accepted and EMD of unsuccessful bidders is returned to them. (This has been recommended by the technical staff of DGR in view of the Election Model Code of Conduct).
- e. The relevant paras of the Election Model Code of Conduct are reproduced as below:
 - i. *“3.5 Who Are Covered Under Model Code*

The provisions of Model Code apply to all organizations/committees, corporations/ commissions etc, funded wholly or partially by the Central Govt. or any State Govt. like the

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Commonwealth Games Organizing Committee, DDA, Electricity Regulatory Commissions, Jal Boards, Transport Corporations, any other development authority etc. Any action in contravention of the provisions contained in Model Code including any publication of its advertisements by them highlighting their achievements or announcing new subsidies, tariffs or schemes would attract the provisions of Model Code and tantamount to violation of the same.

ii. “5.2 Consolidated Guidelines

5.2.1 During general elections to the House of the People and certain State Legislative Assemblies in 2009, on request from some State Governments for relaxation in instructions on humanitarian ground, the Election Commission revisited its existing instructions and issued consolidated guidelines with modifications or clarifications, wherever necessary, on 5 March 2009 (Annexure VI).

These guidelines are as detailed below:

Financial matters

*(x) Global tenders already floated, can be evaluated and finalized where any time limits are specified for such purpose. **Tenders other than global tenders, that are already floated may be evaluated but not finalized without prior approval of the Election Commission.***

iii. “CODE OF CONDUCT – DOs & DON'Ts

The Commission has issued various instructions on observance of code of conduct from time to time. Important aspects of the code of conduct are reiterated below:

On Welfare Schemes and Governmental Works:

8. Tenders are not to be finalised during the period of elections.”

Model code of conduct is going to be lifted after declaration of results on 10.03.2022.

f. The comparison of the financial bids auto generated by the system is as below:

Sl.No	Description of Work / Item(s)	No.of Qty	Units	Estimated Rate	S.S. SERVICES PROVIDERS(GSTN- 03ADTFS1954 MIZH)		Gretis India Private Limited(GST N- 03AAACR855 4R1ZN)		TDS MANAGEME NT CONSULTAN T PVT. LTD.(GSTN- NA)		L1 Amount	L1 Vendor
					Rate	Amount	Rate	Amount	Rate	Amount		
1.00	Selection of a Service Provider to provide the support services to PWRDA											
1.01	Management Fee for providing the support services under the Scope of Services for the project as percentage (%) of Monthly Gross Payment	1.00	Nos	0.00	1.38	1.38	1.72	1.72	2.50	2.50	1.38	S.S. SERVICES PROVIDERS

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Total in Figures

1.38

1.72

2.50

Lowest Amount Quoted BY: S.S. SERVICES PROVIDERS (1.38)

Submitted for consideration and approval of the lowest BID by the Authority.

Decision:

Since the Model Code of Conduct is likely to end shortly there is not enough time to refer the matter to the Election Commission. Hence, it was decided to accept the bid submitted by the lowest bidder namely M/S. S.S. Services Providers. However, offer letter to the successful bidder will be issued only after the withdrawal of the Model Code of Conduct.

Item No 40.06: Regarding Providing Motor Vehicles to Members of PWRDA.

1. In compliance with the decision taken in the Authority meeting held on 03.12.2021(**Annexure – A6**), for the hiring of Motor Vehicles through e-Tendering, the tender was uploaded on the e-procurement website of the Punjab Government, i.e <https://eproc.punjab.gov.in/> on 22.12.2021 with last date to apply for 13.01.2022 till 1300 Hrs. No bid received. The last date was extended to 27.01.2022 till 1300 Hrs. Again no bid received and the last date was extended to 14.02.2022 till 1300 Hrs, certain terms and conditions were 'changed' so as to encourage a better response to the RFP vide corrigendum dated 03.02.2022:

Sr. No. of Tender Document	Earlier Provisions	Updated Provision
Part-2 1 (D)	Bidders will be required to pay EMD of INR 10,000/- per vehicle Online. The amount of processing fee to be paid will be as mentioned in the e-proc portal.	Bidders will be required to pay EMD of INR 10,000/- for first Vehicle and INR 5,000/- for each subsequent vehicle Online. The amount of processing fee to be paid will be as mentioned in the e-proc portal.
Part-2 8 (A)	The bidder shall submit Performance Security by way of Unconditional Performance Bank Guarantee (PBG) equivalent to the rate of total hire charges of one month as per Annexure 6.	The bidder shall submit Performance Security by way of Unconditional Performance Bank Guarantee (PBG) equivalent to INR 10,000 for each vehicle of Group 1 and INR 12,000/- for each vehicle of Group 2.
Part-3 (2)	The contract will initially be for a period of one year and extendable twice for one year each, up to a total period of three years on the same terms and conditions if service is found satisfactory by PWRDA.	The contract will initially be for a period of two years and extendable twice for one year each, up to a total period of four years on the same terms and conditions if service is found satisfactory by PWRDA.

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Part-3 (14)	<p>The PWRDA shall not make any increase in the agreed hire charges during the year. After end of the year, if the PWRDA decides to extend the Contract, the hiring charges may be varied only for the fuel component of the total hiring charges for plying the vehicle up to 2000 kms per month. The monthly fuel consumption will be assumed to be 142 liters of petrol/diesel for Group 1 vehicle and 166 liters of petrol/diesel for Group 2 vehicle. The average price of fuel of the 1st month of hiring will be compared with the average price of fuel in the last month of hiring i.e.12th Month and any increase/decrease in %age shall be reflected in the fuel charges to arrive at the final hiring charges for the next 12 months. It is clarified that no change will be made in the per kilometer charges for plying the vehicle beyond 2000 kms in a month.</p>	<p>The PWRDA shall not make any increase in the agreed hire charges during the year. After end of the year, the hiring charges may be varied only for the fuel component of the total hiring charges for plying the vehicle up to 2000 kms per month. The monthly fuel consumption will be assumed to be 142 litres of petrol/diesel for Group 1 vehicle and 166 litres of petrol/diesel for Group 2 vehicle. The average price of fuel of the 1st month of hiring will be compared with the average price of fuel in the last month of hiring i.e. 12th Month and any increase/decrease in %age shall be reflected in the fuel charges to arrive at the final hiring charges for the next 12 months. It is clarified that no change will be made in the per kilometre charges for plying the vehicle beyond 2000 kms in a month.</p>
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Due to no response the last date was again extended to 28.02.2022 till 1300 Hrs. Even then no Bid received.

3. Though the last date for submission of Bids was extended 4 times and even certain terms and conditions of the E-Tender were 'changed' so as to encourage a better response to the RFP yet, there was no response. Now it is a necessity to review the matter and take a fresh decision in the light of this experience.

4. Government instructions are placed as **Annexure– A7**. The Members are entitled for Group 2 vehicles with ex-showroom price ranging between 10-12 lakhs each.

5. In view of the position explained above, the Authority may decide on procurement of Two number of vehicles for Members by:

a. Re-Advertising the Tender for Hiring of Motor Vehicles by considering further changes in the terms and conditions through E-Tendering.

Or

b. Purchasing new motor vehicles for the Members as per their entitlement out of the income generated from its own resources. A statement of cost analysis is attached for perusal and reference as **Annexure-A8**.

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Submitted for consideration and decision of the Authority.

Decision: *Keeping in view the facts of the case described in Paragraphs 2 and 3 above, it is clear that a transparent and competitive process for hiring of motor vehicles has been implemented but it has not fructified in any successful offer. The entire process has taken considerable time and the provision of vehicles for Members has been much delayed, leading to hindrance in the work of the Authority.*

Therefore, the Authority approved the purchase of two new Maruti Suzuki Ciaz Cars (Model alpha, petrol-hybrid, MT) ex-showroom price ranging between Rs 10 to 12 lakh for the Members. The purchase may be conducted on GeM portal (if not available on GeM then directly from the manufacturer) by the committee already constituted for this purpose. The expenditure shall be met out of the Authority's receipts/income from its own sources, and earmarked in the Budget for this purpose.

TABLE AGENDA

The following item was taken up with the permission of the Chair.

Item No: 40.07: Punjab Directions for Groundwater Extraction and Conservation, 2022.

The Punjab Directions for Groundwater Extraction and Conservation, 2022 were approved by the Authority vide Resolution No. 38.01.

However, it is proposed that following provisions may be added to the Directions 2022.

- A. Provision may be made to have Chemical Analysis report of water from the Users along with Application Form for Permission to extract groundwater.
- B. To differentiate between the Impact Assessment Studies carried out by a Unit and the Authority, it is proposed that the Report to be submitted by a Unit/User after conducting Impact Assessment Studies may be called as **Project Impact Assessment Report**. Whereas the report submitted after impact assessment studies carried out by the Authority may be called as **Cluster Impact Assessment Report**. Accordingly, sub para-C, E, F and G of para 2.10 under the heading "Impact Assessment Studies" of the Directions 2022 may be modified as here in under:

Existing Provision	Proposed Provision
C. Therefore, Authority shall carry out (through expert agencies) block-wise/assessment area wise Impact	C. Therefore, Authority shall carry out (through expert agencies) block-wise/assessment area wise Cluster



<p>Assessment studies. Priority will be given to study the over-exploited blocks to get a meaningful picture of impact on the hydrogeological regime of the area.</p>	<p>Impact Assessment Studies. Priority will be given to study the over-exploited blocks to get meaningful picture of impact on the hydrogeological regime of the area.</p>
<p>E. Units Extracting more than 6,00,000 cubic metres in any month will be required to submit an Impact Assessment Report to the Authority in the format as specified by the Authority within 6 months of applying for Permission for Extraction. This volume of 6,00,000 cubic metres shall include Dewatering by mining or infrastructure projects. The Impact Assessment report prepared by accredited consultant on ground water conditions, impact assessment of dewatering on ground water regime and its socio-economic impact, details of recycling, reuse and recharge and water management methods to minimize and mitigate the adverse impact on ground water, based on local conditions.</p>	<p>E. Units Extracting more than 6,00,000 cubic metres in any month will be required to submit Project Impact Assessment Report to the Authority in the format as specified by the Authority within 6 months of applying for Permission for Extraction. This volume of 6,00,000 cubic metres shall include Dewatering by mining or infrastructure projects. The Project Impact Assessment report prepared by accredited consultant on ground water conditions, impact assessment of dewatering on ground water regime and its socio-economic impact, details of recycling, reuse and recharge and water management methods to minimize and mitigate the adverse impact on ground water, based on local conditions.</p>
<p>F. In case such User does not submit the Impact Assessment Report within the time period specified then this shall be an event of Non-Compliance and the User/Unit shall be liable to pay Non-Compliance Charges as described in Chapter 7 with effect from the due date of the Report.</p>	<p>F. In case, such User does not submit the Project Impact Assessment Report within the time period specified then this shall be an event of Non-Compliance and the User/Unit shall be liable to pay Non-Compliance Charges as described in Chapter 7 with effect from the due date of the Report.</p>
<p>G. Based on the Impact Assessment Report submitted by the User, Authority may modify the terms and conditions of Permission for Ground Water Extraction.</p>	<p>G. Based on the Project Impact Assessment Report submitted by the User, Authority may modify the terms and conditions of Permission for Ground Water Extraction.</p>

Placed before the Authority for consideration.



Decision:

A. Following note be added after Note 1 below table 5.1 of the Directions, 2022: NOTE 2. Existing Units seeking Permission for extraction of fresh Water with volume equal to or more than 15,000 cubic metres per month shall submit a Chemical Analysis report of water of each extraction structure from a NABL accredited laboratory (as per IS-10500:2012) for basic parameters as described in the Application Form. This report should not be older than six months on the date of Application. New Units granted permission to extract 15,000 cubic metres per month or more of groundwater shall provide this report within 6 months of grant of permission.

B. Approved as proposed.

The Meeting ended with a vote of thanks to the Chair.

Chairperson

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Panwar D
Superintendent
Punjab Water Regulation and
Development Authority

o/s,
