

**Minutes of 70<sup>th</sup> Meeting of Punjab Water Regulation and Development Authority held on 25.09.2023 at 03.30 PM in the Committee Room under the Chairmanship of Sh. Karan Avtar Singh, Chairperson, PWRDA.**

**Present: Mr. Sushil Gupta, Member and Mr. Surinder Singh Kukal, Member.**

**Attendance: Mr. Rajpal Singh, PCS, Secretary and Mr. J.K. Jain, Additional Secretary.**

**Item No. 70.01: Confirmation of the Minutes of 69<sup>th</sup> Meeting of PWRDA.**

The Minutes of 69<sup>th</sup> meeting held on 05.09.2023 was emailed to all concerned on 11.09.2023. No comments received. The Minutes may be confirmed.

**Decision:** *Confirmed.*

**Item No. 70.02: Action Taken Report:**

Action Taken Report on the decisions taken in the previous meetings of the Authority is as under:

*Item No.51.11: Regarding draft Tariff Regulations.*

Pending.

*Item No.54.04: Review of procedure for placing Authority fund in fixed deposit.*

Pending.

*Item No.64.10: Regarding Staff Cars.*

Pending.

*Item No 69.03: Expiry of contract of Mrs. Kamlesh Kumari Joshi, Private Secretary.*

Mrs. Kamlesh Kumari Joshi has joined on 12.09.2023 (FN).

*Item No.69.04: Performance Review Report of Authority staff.*

Necessary orders have been issued on 12.09.2023.

**Decision:** *Noted.*

**Item No. 70.03: Expiry of contract of Mr. Sanjeev Malhotra, Administrative Officer.**

Mr. Sanjeev Malhotra was appointed as Administrative Officer on contract basis for a period of one year at the monthly remuneration of Rs. 50,000/- (fixed). He joined the Authority on 21.09.2022 (F.N). The contract expires on 20.09.2023.

2. He has requested for renewal of contract by application dated 21.08.2023 stating that:

*"Respectfully it is submitted that I was hired on contract for one year for the post of Administrative Officer vide Authority Offer letter No. 47422: PWRDA-PWRD0GENI/17/2020-PWRDA BRANCH/1/24646/353 dated 09.09.2022. I assumed the charge of the post on 21.09.2022. During the period of my hiring, I have performed the duties of the post and allotted Division efficiently, discreetly, diligently and to the utter satisfaction of my superiors.*

*The above said hiring is expiring on 20.09.2023. I hereby request your good self to consider for extension of same for another one year with suitable hike in emoluments."*

3. As per record the date of birth of Mr. Sanjeev Malhotra is 07.05.1962 and he has not attained the age of 70 years.

4. There is nothing adverse on record against him. The work and conduct of Mr. Sanjeev Malhotra are satisfactory.

5. As per the terms of his contractual employment, the contract may be renewed at the sole discretion of PWRDA.

6. As per PWRDA Employees Service Regulations 2020, the indicative monthly remuneration for the post of Administrative Officer is Rs.50,000/-.

7. The Employees Service Regulations, 2020, para 7 (2) & 7 (3) provide as under:

*7 (2) "An employee appointed directly will be entitled to draw remuneration as per his conditions of contract. Annexure 'A' contains indicative remuneration for the current year which may vary from case to case and may be revised from time to time.*

*7 (3)"The terms of contract of an employee may provide for an annual increase in emoluments based on performance."*

8. The Authority may decide on the following:

- a. Hiring of the services of Mr. Sanjeev Malhotra on contract for the post of Administrative Officer.
- b. The period of hiring of services.
- c. The terms & conditions of the contract.
- d. Monthly remuneration.

9. Placed before the Authority for consideration.

**Decision:** *Given the present workload, his services are no more required.*

**Item No. 70.04: Expiry of contract of Mrs. Anita Jain, Private Secretary.**

Mrs. Anita Jain was appointed as Private Secretary on contract basis for a period of one year at the monthly remuneration of Rs. 45,000/- (fixed). She joined the Authority on 23.09.2022 (F.N). The contract expires on 22.09.2023.

2. She has requested for renewal of contract by application dated 14.08.2023 stating that:

*"ਬੇਨਤੀ ਹੈ ਕਿ ਮੈਂ ਨਿੱਜੀ ਸਕੱਤਰ ਦੀ ਆਸਾਮੀ ਤੇ ਮਿਤੀ 23.09.2022 (ਦੁਪਹਿਰ ਤੋਂ ਪਹਿਲਾਂ) ਆਪਣੀ ਹਾਜ਼ਰੀ ਦਿੱਤੀ ਸੀ। ਇਹ ਨਿਯੁਕਤੀ 45000/- ਰੁਪਏ ਪ੍ਰਤੀ ਮਹੀਨਾ ਦੀ ਦਰ ਨਾਲ ਇਕ ਸਾਲ ਲਈ ਕੰਟਰੈਕਟ ਦੇ ਅਧਾਰ ਤੇ ਕੀਤੀ ਗਈ ਸੀ। ਇਹ ਸਮਾਂ ਮਿਤੀ 22.09.2023 ਨੂੰ ਪੂਰਾ ਹੋ ਰਿਹਾ ਹੈ। ਇਸ ਸਮੇਂ ਦੋਰਾਨ ਮੇਰਾ ਕੰਮਕਾਜ ਤਸੱਲੀਬਖਸ਼ ਰਿਹਾ ਹੈ। ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਮੈਨੂੰ ਠੇਕੇ ਦੇ ਅਧਾਰ ਤੇ ਨਿੱਜੀ ਸਕੱਤਰ ਦੀ ਆਸਾਮੀ ਤੇ ਕੀਤੀ ਨਿਯੁਕਤੀ ਵਿੱਚ ਸਰਵਿਸ ਰੈਗੂਲੇਸ਼ਨਾਂ ਦੇ ਅਧਾਰ ਤੇ ਅਗਲੇ ਤਿੰਨ ਸਾਲਾਂ ਲਈ ਵਾਧਾ ਦੇਣ ਦੀ ਕਿਪ੍ਰਾਲਤਾ ਕੀਤੀ ਜਾਵੇ ਜੀ। ਇਹ ਵੀ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਸਰਵਿਸ ਰੈਗੂਲੇਸ਼ਨਾਂ ਦੇ ਅਧਾਰ ਤੇ ਮੇਰੀ ਤਨਖਾਹ 50000/- ਰੁਪਏ ਪ੍ਰਤੀ ਮਹੀਨਾ ਕਰਨ ਦੀ ਖੋਚਲ ਕੀਤੀ ਜਾਵੇ ਜੀ ਅਤੇ ਇਸ ਤੇ ਬਣਦਾ ਸਲਾਨਾ ਯੋਗ ਵਾਧਾ ਦੇਣ ਦੀ ਵੀ ਖੋਚਲ ਕੀਤੀ ਜਾਵੇ ਜੀ।"*

3. As per record the date of birth of Mrs Anita Jain is 08.08.1958 and she has not attained the age of 70 years.

4. There is nothing adverse on record against her. The work and conduct of Mrs Anita Jain are satisfactory.

5. As per the terms of her contractual employment, the contract may be renewed at the sole discretion of PWRDA.

6. As per PWRDA Employees Service Regulations 2020, the indicative monthly remuneration for the post of Private Secretary is Rs.50,000/-.

7. The PWRDA Employees Service Regulations, 2020, para 7 (2) & 7 (3) provide as under:

*7 (2) "An employee appointed directly will be entitled to draw remuneration as per his conditions of contract. Annexure 'A' contains indicative remuneration for the current year which may vary from case to case and may be revised from time to time.*

*7 (3) "The terms of contract of an employee may provide for an annual increase in emoluments based on performance."*

8. The Authority may decide on the following:

- a. Hiring of the services of Mrs Anita Jain on contract for the post of Private Secretary.
- b. The period of hiring of services.

- c. The terms & conditions of the contract.
- d. Monthly remuneration.

Placed before the Authority for consideration.

**Decision:** *Mrs. Anita Jain is hired on contract for the post of Private Secretary for a period of one year starting from 26.09.2023 or from her actual date of joining which shall not be later than two weeks from 26.09.2023. The other terms and conditions of the contract/offer letter shall be the same as approved by the Authority in Annexure M69.03.01. The monthly remuneration shall be Rs.45,000/- (Rs. Forty-Five Thousand) fixed.*

**Item No. 70.05: CWP 19597/2023 entitled “Shreyans Industries Limited v/s State of Punjab and another”;** **CWP 18912/2023 entitled “Cremica Food Industries Limited v/s Punjab Water Regulation and Development Authority”;** and **CWP20930/2023 entitled “Punjab Dyers Association v/s Punjab Water Regulation and Development Authority”.**

**1. CWP 19597/2023 entitled “Shreyans Industries Limited v/s State of Punjab and another”;**

Shreyans Industries Limited (Unit Shreyans Paper) obtained ad-interim permission on 22.04.2021 for groundwater extraction under draft Guidelines 2020. A demand notice for payment of Groundwater Extraction charges of Rs. 12,26,21003/- was issued on 27.01.2023. Shreyans Industries Limited filed a petition before the Authority challenging this demand notice. The petition was decided on 14.07.2023. Shreyans Industries Limited challenged Authority’s decision in the present CWP which came up for hearing on 05.09.2023. The order of the Hon’ble High Court is reproduced as under:

*“Notice of motion.*

*Upon being served with an advance copy of the petition, Mr. Arjun Sheoran, DAG, Punjab, is present in Court. He accepts notice on behalf of the respondents and prays for a short accommodation to submit a response.*

*Adjourned to 25.09.2023.*

*Reply, if any, be filed three days prior to the adjourned date of hearing with an advance copy to the counsel opposite.”*

**2. CWP 18912/2023 entitled “Cremica Food Industries Limited v/s Punjab Water Regulation and Development Authority”**

Cremica Food Industries Limited obtained ad-interim permission on 25.10.2021 for groundwater extraction under draft Guidelines 2020. Cremica Food Industries Limited challenged the demand notice dated 27.03.2023 in the Hon’ble Punjab and Haryana High Court by way of CWP 18912/2023 which came up for hearing on 28.08.2023. The Hon’ble High Court passed the following order:

*Learned counsel for the petitioner inter alia contents that the Punjab Water Regulation and Development Authority, exercising the powers under Punjab Water Resources (Management and Regulation) Act, 2020 was first required to publish any Direction in not less than two newspapers to invite objections/ comments, if any and that only upon consideration of the objections, a final Direction would be issued. It is submitted that the policy guidelines titled Punjab Guidelines for Groundwater Extractions and Conservation were published by the respondent as per which the same were to have effect from the date of such notification. The purposed charges were also incorporated in the said draft guidelines and that the final publication of the guidelines was done 27.01.2023. However, notwithstanding that the notification was enforceable prospectively, the respondents have, vide the impugned communication Annexure P-12 dated 27.03.2023, directed the petitioner to deposit the extraction charges w.e.f., the date of application i.e., 06.04.2021. He submits that there is no statutory remedy of appeal against any such demand.*

*The operation of impugned communication dated 27.03.2023 shall remain stayed till next date of hearing i.e., 13.02.2024.*

### **3. CWP20930/2023 entitled “Punjab Dyers Association v/s Punjab Water Regulation and Development Authority”.**

Punjab Dyers Association filed this CWP briefly for setting aside the notification dated 27.01.2023. It came up for hearing on 19.09.2023 and was **adjourned** to **25.09.2023** for reply.

4. Legal Executive had a meeting with Sh. Akshay Bhan Sr. Adv on 18.09.2023 regarding the CWP **18912/2023**. Ld. Adv quoted his fee as Rs. 3.5 lakh for first hearing and Rs. 3.00 lakh for subsequent hearings. There may be several hearings in this case as the number of hearings cannot be determined in advanced.

5. Thereafter AG Punjab was requested to nominate a Sr. Counsel in the Writ Petitions. Legal Executive along with Additional Secretary met Advocate General Punjab on 20.09.2023 regarding nomination of Sr. counsel in the writ petitions. The AG declined the request for the nomination of Sr. counsel rather he said that Authority may engage counsel at its own.

6. On 21.09.2023, ADO-1 and Legal Executive had a meeting with designated Sr. Advocate Mr. Sanjeev Sharma. ADO-1 and Legal Executive reported that Mr. Vikram Sharda Junior of Advocate Mr. Sanjeev Sharma quoted his fees @ ₹ 4.5 lakh for the first case and sixty percent off on the similar next case(s). This legal fee is for the entire case and will not vary with the number of hearings.

7. OSD litigation Department of Water Resources is repeatedly writing regarding intimation and timely filing of reply in the CWP. Letters from Office of CS Punjab, GAD Punjab, have also been received regarding the date of hearing on 25.09.2023.

8. Due to the paucity of time, Chairperson approved the engagement of Sh. Sanjeev Sharma designated Sr. Advocate, Punjab and Haryana High Court, Chandigarh to defend the Authority in CWP 19597/2023 and CWP 20930/2023 at the lump sum fee of ₹ 4.5 lakh for the first case and sixty percent off on the similar next case(s) in anticipation of ratification by the Authority.

9. Accordingly, it is proposed that Authority may ratify proposal para 8 above and authorise Secretary to file reply and to pay the fee to the counsel.

Placed before the Authority for consideration.

**Decision: Authority took note of letter no. 191674: PWRDA-PWRD0GENL/77/2022-O/o SECY-PWRDA/887-88 dated 22.09.2023 and ratified the action taken.**

### **Supplementary Agenda**

**Item No. 70.S1: Project proposal regarding Water Conservation in Agriculture sector Submitted by Krishi Vigyan Kendra, Sangrur and Centre for Water Technology and Management, Punjab Agricultural University, Ludhiana**

A water conservations pilot project in Agriculture sector is being implemented in the district of Sangrur and data of 200 farmers of block Dhuri and Sunam is being collected for Kharif and Rabi Season.

2. An amount of Rs. 6.70 lakh was released to Department of Agriculture and Farmers Welfare (DOA&FW) to procure 134 quintal PR 126 variety of paddy (**Annexure A 70.S1.01**). Further, an amount of 53,57,600/- was released to DOA&FW for procurement & deployment of IOT and AI based Smart Irrigation Automation Controller (200 nos.) with MIS, POL, Hardware and Internet Connectivity and other charges for the project (**Annexure A 70.S1.02**).

3. A meeting was held to review the project activities on 06<sup>th</sup> July 2023 under the Chairmanship of Dr. S. S. Kukal in the committee room of PWRDA office (**Annexure A 70.S1.03**). It was observed by the committee that the support from Department of Agriculture and Farmers Welfare (DOA&FW) Punjab was not sufficient to carry out an extensive exercise for the collection of data/information of all the farmers in the project area. In this regards, CAO Sangrur informed that DOA&FW, Punjab is short of staff and expressed his inability to provide dedicated man power for this project. A decision to hire the service of two personnel for project area was taken in the meeting held on 18<sup>th</sup> October 2022 under the Chairmanship of Dr. S.S Kukal, Member, PWRDA. As per queries of Chairperson, PWRDA, justification in this regard was sought from DOA&FW vide Memo No. 60438: PWRDA-PWRD0GENL/10/2021-PWRDA BR/I/47998/2023, Chandigarh, dated 18<sup>th</sup> April 2023. A reply from DOA&FW was received vide Memo No. 351/JDH (HG) dated 10<sup>th</sup> May 2023, but no justification was provided in this letter.

The Chairman of the committee felt that two personnel, one for each block are required to carry out project activities and collect required data/information/record observations for all the farmers of the project area. Moreover, scientific evaluation and analysis of the data/observations is required to be carried out to fulfill project objectives. It was suggested and agreed upon by all present members of the committee to involve Krishi Vigyan Kendra, Sangrur under the supervision of Principal Agronomist (Water Management), Centre for Water Technology and Management, PAU, Ludhiana for better implementation of the project. It was decided that a proposal in this regard may be sought from the KVK, Sangrur so as to get the approval of the Chairperson, PWRDA.

5. A meeting with representatives of PAU Ludhiana and Krishi Vigyan Kendra (KVK), Sangrur was held under the Chairmanship of Dr. S.S Kukal, Member, PWRDA on 4<sup>th</sup> August 2023 at 11.30 am in the committee room of PWRDA (**Annexure A 70.S1.04**).

Accordingly, a project proposal namely “Quantification and monitoring of irrigation water saving with best management practices viz-a-viz farmers practices in rice-wheat cropping system in Sangrur district of Punjab” amounting to **Rs. 20,65,400/-** was submitted on 14<sup>th</sup> August 2023 by Krishi Vigyan Kendra, Sangrur and Centre for Water Technology and Management, Punjab Agricultural University, Ludhiana” (**Annexure A 70.S1.05**).

6. The project proposal as submitted on 14<sup>th</sup> August 2023 was discussed on 23<sup>rd</sup> August 2023 with the Chairperson and the Members, PWRDA. The minutes of the meeting were circulated to the concerned via email on 15<sup>th</sup> September 2023(**Annexure A 70.S1.06**). The project proposal was approved in Principle with the following decisions:

- i. KVK Sangrur, under the supervision of Centre for Water Technology and Management, Punjab Agricultural University, Ludhiana would establish demo plot (1.5 acre) for developing a complete package for quantification of water and energy saving in short duration variety of transplanted rice in rice-wheat cropping system under different rice residue management techniques as per complete package of water related recommended practices in paddy-wheat system starting from land preparation, laser land leveling, pre-puddling / tillage/ puddling, planting time, depth and frequency of irrigation, harvesting and residue management etc.
- ii. During summer season 1.5-acre area will be divided into 3 segments, namely, for summer moong, summer maize and fallow land (0.5-acre plot for each).
- iii. KVK Sangrur may explore feasibility for installation of two weather stations (one for each block Sunam and Dhuri) to record rainfall, temperature & humidity etc.
- iv. The number of ultrasonic water level meters and soil moisture sensors may be increased to compare the water use in demo and control plots.
- v. The Breakup of Non-Recurring Contingency as presented in table-4 of Annexure-1 in the project proposal (Annexure-A) may be provided.
- vi. Centre for Water Technology and Management, Punjab Agricultural University Ludhiana / KVK, Sangrur and DOA&FW, Punjab will work out the modalities for taking over / handing over the pilot project from the

Department of Agriculture and Farmer Welfare (DOA&FW), Punjab. The details of the handing-over and taken-over of the pilot shall be shared with PWRDA for reference.

- vii. Krishi Vigyan Kendra, Sangrur and Centre for Water Technology and Management Punjab Agricultural University Ludhiana may begin work on its present proposal immediately as time is short for collection of data for the current kharif season.
- viii. Krishi Vigyan Kendra, Sangrur and Centre for Water Technology and Management, Punjab Agricultural University, Ludhiana would submit a revised project proposal as per the observations.
- ix. The revised project proposal shall be placed in the next Authority meeting.

7. A revised proposal as per the decisions of the meeting dated 23<sup>rd</sup> August 2023 was sought from KVK, Sangrur and Centre for Water Technology and Management, PAU, Ludhiana. Accordingly, a revised project proposal amounting to **Rs. 29,15,400/-** was received from KVK, Sangrur and Centre for Water Technology and Management, PAU, Ludhiana (**Annexure A 70.S1.07**).

8. Budget provision and sufficient funds for this purpose are available under the head “2.10 Water conservation schemes” in the Budget Estimates for the current Year. This expenditure is fit and valid charge on the PWRDA Fund.

9. The revised project proposal namely “Quantification and monitoring of irrigation water saving with best management practices viz-a-viz farmers practices in rice-wheat cropping system in Sangrur district of Punjab” submitted by Krishi Vigyan Kendra, Sangrur and Centre for Water Technology and Management, Punjab Agricultural University, Ludhiana amounting to **Rs. 29,15,400/-** is placed before the Authority for ratification.

**Decision:** *Approved as proposed. Secretary, PWRDA is authorised to release the funds as per requirement to Punjab Agricultural University Ludhiana within the overall approved project amount. Utilization Certificate shall be submitted within 45 days from the date of completion of the project.*

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