

Minutes of 73rd Meeting of Punjab Water Regulation and Development Authority held on 26.10.2023 at 11.00 AM in the Committee Room under the Chairmanship of Sh. Karan Avtar Singh, Chairperson.

Present: Mr. Sushil Gupta Member and Mr. S.S. Kukal Member.

In attendance: Mr. Rajpal Singh PCS Secretary, Mr. J.K. Jain Addl. Secretary and Mr. Maninder Singh XEN.

Item No. 73.01: Confirmation of the Minutes of 72nd Meeting of PWRDA.

The Minutes of 72nd meeting held on 12.10.2023 were emailed to all concerned on 17.10.2023. No comments received. The Minutes may be confirmed.

Decision: *Confirmed.*

Item No. 73.02: Action Taken Report:

Action Taken Report on the decisions taken in 72nd meeting of PWRDA will be put up in the next meeting of the Authority.

Decision: *Noted.*

Item No. 73.03: Complaints regarding Non-Compliance of Groundwater Directions 2023.

A. A complaint regarding illegal groundwater extraction was received through email dated 23.08.2023 (**Annexure A73.03.01**) against M/s Vishal Coaters Private Limited & M/s Vishal Papers Private Limited, village khusropur main road, Patiala, Punjab. The complaint was forwarded to Chief Engineer/Groundwater Department of Water Resources, with a copy to Deputy Commissioner cum Chairperson DICWRD Patiala, Executive Engineer/BML Division Patiala cum Member Secretary DICWRD Patiala and the complainant for inspection and report regarding the complaint (**Annexure A73.03.02**).

I. The report dated 05.10.2023 (**Annexure A73.03.03**) from XEN BML division was received along with some documents. As per the report, the project proponent has informed the inspecting officer that it had applied online for Groundwater Extraction Permission of both the units. However, as per office record, the project proponent has neither applied online on web portal, nor offline till date for groundwater extraction permission in case of M/s Vishal Coaters Private Limited & M/s Vishal Papers Private Limited, village Khusropur main road, Patiala, Punjab. The project proponent has misrepresented the facts to the Inspecting Officer.

B. Another complaint addressed to Hon'ble Chief Minister Punjab with copy to PWRDA regarding extraction of very high quantity of Groundwater by 3 no. units in Punjab namely Wave Beverages Gurdaspur (Coca Cola), an adjoining alcohol unit of the same owner and Varun Beverages Pathankot (Pepsi) (**Annexure A73.03.04**) has been received.

I. Wave Beverages obtained ad interim permission for extraction of 1.50,000 cubic meter groundwater per month on 25.07.2022. Application for Groundwater Extraction

Permission under Groundwater Direction 2023 from Wave Beverages (Coca Cola) was received on 28.04.2023 and objections were emailed on 01.06.2023 (**Annexure A73.03.05**) and 20.10.2023. Reply regarding same was received on 20.10.2023 and 21.10.2023 (**Annexure A73.03.06**). E-mail regarding outstanding dues has been sent to the unit by Accounts Division (**Annexure A 73.03.07**). However, the objection(s) have not been completely addressed.

- II. Similarly, Varun beverages Ltd. obtained ad interim permission for extraction of 72,150 cubic meter groundwater per month on 12.05.2021. The file for Groundwater Extraction Permission from Varun Beverages under Directions, 2023 was received on 30.04.2023 and objections were sent on 21.06.2023 (**Annexure A73.03.08**) and 23.10.2023. Reply regarding same was received on 20.10.2023 (**Annexure A73.03.09**). However, the objection(s) have not been completely addressed.
- III. The complainant has not given any specific information regarding the third unit mentioned in complaint such as name of unit, location, etc.

C. Last date to apply for permission of groundwater extraction for units extracting groundwater more than 15000 cubic metres per month was 30.06.2023. The details of such units based on ad interim applications is as under:

Sr.no.	Number of Units Extracting >15000 cum/month obtained/ having ad- interim permission but not under directions, 2023	Out of these, No. of infrastructure units	Units other than infrastructure
1.	47	24	23

III.

After the expiry of the last date to apply for permission for Groundwater Extraction for different categories of Users, more such cases of non-compliance of Groundwater Directions 2023 may come up.

D. Failure by a User to comply with provisions of the Directions shall make it liable to pay Non-Compliance Charges as described under chapter 6 of the Directions, without prejudice to any other liability under the Act or the Directions.

II. Section 20 of the Punjab Water Resources (Management and Regulation) Act, 2020 empowers Authority to appoint enquiry officer and Section 23 of the Act deals with the action for noncompliance of Directions of the Authority. (Relevant portions of the Act **Annexure A73.03.10**)

III. The State Government has authorized Deputy Commissioner to conduct enquiry themselves or to appoint an enquiry officer amongst the officers who are members of the DICWRD for conducting an enquiry ordered by the Authority under section 20 of the Act (**Annexure A73.03.11**)

E. Authority may consider approving the course of action in keeping with the provisions of the Act 2020 for all such cases.

Placed before the Authority for consideration.

Decision:

A. *Complaint against M/s Vishal Coaters Private Limited & M/s Vishal Papers Private Limited, village Khusropur main road, Patiala, Punjab.*

- i. Authority perused the report of DICWRD, Patiala sent to Implementing Agency which shows that both the Units are extracting groundwater without permission. The Users have failed to comply with provisions of the Groundwater Directions, 2023 which makes them liable to pay Groundwater Compensation Charges (GCC) without prejudice to any other liability under the Act or the Directions.*
- ii. Therefore, a Notice be issued to Vishal Coaters Pvt. Ltd. and Vishal Paper Pvt. Ltd for non-compliance of Groundwater Directions 2023. The draft of Notice be placed before the Authority for approval in the next meeting.*
- iii. The complainant be informed that his complaint is under consideration for appropriate action as per law.*

B. *Complaint against Wave Beverages (Coca Cola), an adjoining alcohol unit of the same owner and Varun Beverages Pathankot (Pepsi).*

- i. Authority observed that Wave Beverages (Coca Cola) and Varun Beverages Pathankot (Pepsi) had obtained ad-interim permission to extract groundwater under the draft Guidelines 2020. A reply to this effect was sent to Government vide letter No.110566/PWRDA-SECY0MISC/4/2022-O/o SECY-PWRDA/1/42351/2023 dated 02.01.2023. The updated situation be reported to the Government/CMO.*
- ii. Groundwater Directions 2023 provide that a User who is not exempted, shall extract groundwater or conduct any activity connected therewith with permission of the Authority and shall pay groundwater charges as applicable.*
- iii. The above Units have applied for permission for extraction of groundwater under Groundwater Directions 2023 within stipulated time and their applications are pending for want of some clarifications at the Units end. Authority directed the XEN to expedite processing of the applications. In case the Units do not respond promptly, the Implementing Agency be asked to verify the facts.*

C. *Failure by a User to apply for permission to extract groundwater in time.*

The Authority decided to issue notices to all units which have not applied for permission in time. The draft Notice be placed for approval in the next Authority meeting.

D. Standard Operating Procedure (SOP) for action against non-compliant units.

A standard operating procedure (SOP) for issuing notices and taking further necessary action as regards all categories of non-compliant units be drafted and put up in the next Authority meeting.

Item No.73.04: Quarterly statement of PWRDA Fund placed in Fixed Deposit for the quarter ending 30.09.2023.

Quarterly statement of PWRDA Fund placed in fixed deposit during 2nd quarter ending 30.09.2023 is at **Annexure A73.04.01** for information of the Authority.

Decision: *Noted.*

Meeting ended with a vote of thanks to the Chair.