

**Minutes of 76<sup>th</sup> Meeting of Punjab Water Regulation and Development Authority held on 14.12.2023 at 11.00 AM 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.**

**In attendance: Mr. Chander Gaiind IAS Secretary and Mr. JK Jain Addl. Secy.**

**Item No. 76.01: Confirmation of the Minutes of 75<sup>th</sup> Meeting of PWRDA.**

The Minutes of 75<sup>th</sup> Meeting held on 29.11.2023 were emailed to all concerned. No comments received. Minutes may be confirmed.

**Decision: Confirmed.**

**Item No. 76.02: Action Taken Report.**

The action taken report on the decisions taken in the 75<sup>th</sup>. Meeting of PWRDA is as under:

*Item No. 73.03: Complaints regarding non-compliance of Groundwater Directions 2023.*

- i. The status report regarding complaint against Wave Beverages and Varun Beverages has been sent to CMO on 21.11.2023 with a copy to Government, Head Permission and Monitoring Division and complainant. (copy attached)
- ii. Notice to a User who fails to apply for permission to extract groundwater in time and SOP are **pending**.

*Item No. 74.03: ਆਰ.ਟੀ.ਆਈ. ਮੈਨੂਅਲ ਅਤੇ ਸਿਟੀਜਨ ਚਾਰਟਰ ਨੂੰ ਅਥਾਰਟੀ ਦੀ ਵੈੱਬਸਾਈਟ ਤੇ ਅਪਲੋਡ ਕਰਨ ਬਾਰੇ*

**Pending.**

*Item No. 74.05: Actions against Units for extraction of Groundwater without Permission.*

Approved Visit Note (Annexure M 74.05.01) has been circulated to Implementing Agency. Notices in the approved format (Annexure M74.05.02) have been issued to 14 defaulting Units till 08.12.2023. Notice (Annexure M 74.05.03) has been issued to M/S Vishal Coaters Pvt. Ltd. and M/S Vishal Papers Pvt. Ltd.on 17.11.2023.

*Item No. 74.08: Pending dues/excess payments of GWE Charges by 509 ad-interim permission holders.*

**Pending.**

*ItemNo.75.03:ProcedureRegardingPlacementofPWRDAFundinTerm/FixedDeposit.*

Office order no. 68094: PWRDA-PWRD0GENL/24/2021-PWRDA/BR/1100-01) has been issued on 30.11.2023. Decision has been incorporated in the existing procedure and placed on record.

*ItemNo. 75.04: Regarding amendment in the Punjab Water Resources (Management and*

*Regulation) Act, 2020.*

Authority's decision has been conveyed to the Government (letter no. 71328: PWRDA-PWRD0GENL/31/2021-PWRDA/BR/1097 dated 30.11.2023).

*ItemNo.75.05:ExpiryofcontractofMrs.RavneetLumba,LegalExecutive,PWRDA.*

Mrs. Ravneet Lumba has joined on 05.12.2023.

*ItemNo.75.06: Expiry of contract of Mr.J.K.Jain, Additional Secretary cum Senior Manager (A&C), PWRDA.*

Mr.J.K.Jain,has joined on 01.12.2023 (F.N).

**Decision: *Noted.***

**Item No. 76.03: Compliance of Hon'ble NGT Order dated 15.04.2021 in Haider Ali vs. Union of India and Ors. (O.A. NO. 94/2021) w.r.t. construction / installation of appropriate mechanism for artificial recharge of ground water / rain water harvesting in stadiums, cricket grounds etc. - reg.**

The Chairman, Central Ground Water Authority, New Delhi via letter no CGWA-21/31/2020-CGWA-426 dated 02.08.2023 (**Annexure A 76.03.01**) has written to Punjab Cricket Association, Mohali regarding "*compliance of Hon'ble NGT Order dated 15.04.2021 in Haider Ali vs. Union of India and Ors (O.A. No. 94/2021) w.r.t construction/installation of appropriate mechanism for artificial recharge of ground water/rain water harvesting in stadiums, cricket grounds etc. - reg.*" with a copy to the Authority for information and request to impress upon the owner/management of the cricket stadium for obtaining NOC for ground water extraction. CGWA has specifically advised the PCA "*to explore feasibility of RWH in the stadium and use of STP treated water for maintenance of cricket ground and accordingly install above mentioned systems within three months. It is further advised to obtain NOC from the Authority regulating and controlling groundwater in your state at the earliest. Compliance report in all respect may please be communicated within three months from the date of issue of this letter*".

**2.** As per the letter, the issue of excessive use of groundwater for maintenance of Cricket playgrounds without availing alternatives, such as using STP treated water and installing rainwater harvesting systems for storing and recharge of groundwater was raised in the NGT. The NGT Order dated 15.04.2021 in Haider Ali vs Union of India and Ors (O.A. No. 94/2021) is place at **Annexure A 76.03.02** wherein the NGT directed as under:

*"Accordingly, we direct the Secretary, Ministry of Jal Shakti to hold a joint meeting within one month with the nominees of the Ministry of Youth Affairs and Sports (not below the rank of Joint Secretary), representative of BCCI and CPCB to consider the issue of regulating extraction of ground water for maintenance of Cricket play grounds. If necessary, any other expert may also be co opted. The issues for consideration may inter alia include - i) prohibiting use of ground water for maintenance of the play grounds at least during the time no match is being actually played and exploring utilization of STP treated water; ii) ensuring that effective rain water harvesting and water storage/recharging systems are installed in all playgrounds to save the ground water; iii) laying down mandatory requirement of engagement of an environmental expert for every cricket stadium for ensuring compliance with the environmental norms, iv) using every sport event with the programme of awareness for environment protection, using a part of profit from commercial activities as a mandatory obligation. The decisions taken in the meeting may be followed up by appropriate statutory orders".*

3. Accordingly, the Ministry of Jal Shakti, GoI has issued a Notification number S.O. 1509 (E) on 29.03.2023 (**Annexure A 76.03.03, Item No.7**), amending its 'Guidelines to regulate groundwater extraction in India' notified vide notification number S.O. 3289(E) dated 24th September, 2020, which have pan-India applicability. This Notification provides that:-

*4.3 (vi) All stadiums, cricket grounds and other sports grounds courts, golf courses etc. shall construct/install appropriate mechanism for artificial recharge of groundwater / rain water harvesting.*

4. In compliance to the NGT Order, a meeting was held under the chairmanship of the Secretary, DoWR, RD&GR, Ministry of Jal Shakti on 02.06.2023, wherein it was advised to conduct an inspection of cricket stadiums. Accordingly, inspections of all the major stadiums as per the list provided by BCCI were conducted by CGWA. During the inspection, it was observed that I.S. Bindra Cricket Stadium, Punjab Cricket Association, Mohali is non-compliant of NGT directions in respect of installation of RWH structures, use of STP treated water for maintenance of cricket ground and obtaining No Objection Certificate from the Authority regulating and controlling ground water in its respective State for extraction of ground water despite having functional tubewell/borewell.

5. Another meeting was held under the chairmanship of the Secretary, DoWR RD&GR. Ministry of Jal Shakti on 17.07.2023 (**Annexure A 76.03.04**) wherein further directions have been given to owner/management of the cricket stadium to comply NGT order in time bound manner i.e., within 3 months.

6. In pursuance of CGWA letter no. CGWA-21/31/2020-CGWA-426 Dated 02.08.2023 (Annexure A 76.03.01), Chairperson, PWRDA ordered as under:

*"As regards the cricket stadium, they may be asked to apply for permission under the Ground Water Directions 2023, and to specifically state the details of water conservation, if any".*

An office order to this effect was issued on 18.10.2023 (**Annexure A 76.03.05**).

Subsequently, the PCA has applied for permission for groundwater extraction on 18.08.2023. The groundwater requirement details along with proposal of water conservation scheme to be carried out by PCA are placed at (**Annexure A 76.03.06**).

With reference to CGWA letter dated 02.08.2023 (Annexure A 76.03.01) and Office Order dated 18.10.2023 (Annexure A 76.03.05), Permission & Monitoring Division, PWRDA has informed that *"the Unit has proposed water conservation scheme, which as yet has not been installed"* and Permission & Monitoring Division, PWRDA has sought for clarification for the purpose of processing of the application with the remarks that *"if any condition regarding installation of the scheme including any mandatory timeline is to be imposed?"*(**Annexure A 76.03.07**). At present, the application of PCA is pending for grant of permission.

7. As per the Punjab Groundwater Extraction and Conservation Directions, 2023, the Users shall have the option of conserving water themselves with the approval of the Authority, and such Users (who conserve water) shall be entitled to Water-Conservation Credits as described in the Directions.

8. Keeping in view the Ministry of Jal Shakti, GoI Notification dated 29.03.2023, it is proposed that Punjab Groundwater Extraction and Conservation Directions, 2023 may be amended as per procedure laid down u/s 15(3) Punjab Water Resources (Management and Development) Act, 2020 to the extent that the following sub- paragraph may be added before **Note: 1** to paragraph 2.7 (**Annexure A 76.03.08**) of the Groundwater Directions 2023.

*"All stadiums, sports complexes, cricket grounds, other sports grounds and golf courses with a minimum area of 2 hectares shall construct/install an appropriate mechanism for rain water harvesting".*

Placed before the Authority for consideration.

**Decision:** *Deferred. Put up as a fresh item after verifying the facts from the Department of Local Government regarding rainwater harvesting provisions contained in the byelaws of Urban Local Bodies.*

**Item No. 76.04: Regarding installation of Piezometers.**

A. As per Paragraph 5.2 of the Directions, 2023, a Unit permitted ground water extraction exceeding 15,000 cubic metres per month shall monitor the groundwater level digitally through a piezometer. Only one piezometer will be required for a Unit irrespective of the number of extraction structures.

Also, the Piezometer shall be installed within a period of three months from the date of Permission. The telemetry system should also be functional within this period.

B. Twenty-seven no. of permissions for extraction of groundwater exceeding 15,000 cubic metres per month have been granted for which the period of 3 months as provided in the Directions has expired.

An email dated 17.10.2023 and 03.11.2023 was sent to 18 number Units which had not provided information regarding the installation of piezometers and were asked to reply within seven days.

C. As per Paragraph 6.5 of the Directions, Non-Compliance Charges (other than Groundwater Compensation Charges) for various contraventions of the Directions will be imposed as given in the Table 6.2 below. These charges are in addition to and without prejudice to the Groundwater Compensation Charges that may be levied.

As per Table 6.2, entry 8, "Submission of false information or undertaking or failure to comply with undertaking (including undertaking related to water meters and piezometers) at the time of application or thereafter", an amount of Rs. 1,00,000 is leviable.

D. Ten number Units are non-compliant of the above Directions. Draft notices have been circulated. Once approved by the Authority, such Units shall be issued notices and further action will be initiated.

E. Two number units, namely, Firozpur Green Energy Pvt. Ltd. and TATA Steel Limited (attached) have informed as under: -

Firozpur Green Energy Pvt. Ltd.:

*"With reference to your mail dated 03-11-2023 regarding the installation the piezometer of the required specifications within three months of issue of the permission (vide Permission No. PWRDA/1/06/2023/L3/66 dt 20.6.2023.), we would like to bring in your kind notice that due to some reason we are unable to start the*

*construction. As soon as, the construction starts the extraction of ground water will start respectively and we will install piezometer at that time. In case, if there are any charges that we have to pay on monthly basis, please let us know”.*

TATA Steel Limited:

*“This has reference to your e-mail dated November 3, 2023, from Punjab Water Regulation & Development Authority (PWRDA), regarding piezometer installation at Tata Steel's upcoming Electric arc furnace-based steel plant at Kadian Khurd, Ludhiana.*

*We would like to inform you that Tata Steel has the permission to extract 75,000 cubic meters water every month, but the actual monthly extraction is under 7000 cubic meters. The reporting of water extraction data from all borewells in our premises & its related payments are also being made on a monthly basis. However, we are also expeditiously working towards installation of piezometers in accordance with the guidelines of PWRDA.*

*We would request you to give us a time of 3 months, i.e., till January 31, 2024, by which we shall be able to install the piezometers at our Project site.*

*Tata Steel remains committed to complying with all necessary norms and we will continue to work closely with PWRDA to ensure that we maintain highest level of compliance in our operations.”*

The units have requested for time till January 31, 2024, or start of extraction of groundwater.

Placed before the Authority for consideration.

**Decision:** *Deferred. To be put up as a fresh item in the next meeting with proposed amendments.*

**Item No. 76.05: Hiring/Purchase of Motor Vehicles.**

ਅਥਾਰਟੀ ਨੇ ਸਕੱਤਰ ਨੂੰ ਵਿਭਾਗੀ ਮੁਖੀ ਦੇ ਬਰਾਬਰ ਮੰਨਦੇ ਹੋਏ ਉਸ ਲਈ ਗਰੁੱਪ-2 ਦੀ ਇੱਕ ਗੱਡੀ ਅਤੇ ਆਫਿਸ ਪੁਲ ਲਈ ਗਰੁੱਪ-1 ਦੀਆਂ ਦੋ ਗੱਡੀਆਂ ਟੈਂਡਰ ਰਾਹੀਂ ਕਿਰਾਏ ਤੇ ਲੈਣ ਲਈ ਮਤਾ ਨੰ, 01 ਮਿਤੀ 02.03.2021 ਰਾਹੀਂ ਮਨਜ਼ੂਰੀ ਦਿੱਤੀ ਸੀ।

ਅਥਾਰਟੀ ਨੇ ਮਤਾ ਨੰ. 64.10ਮਿਤੀ 19.04.2023 ਰਾਹੀਂ ਸਟਾਫ ਕਾਰਾਂ ਸਬੰਧੀ ਹੇਠ ਲਿਖਿਆ ਫੈਸਲਾ ਲਿਆ।

Authority observed that office staff can avail online taxi services for cars, three wheelers, two wheelers etc. "A proposal be put to this affect".

**A. Hiring of vehicle for local journey:**

.2 1- ਇਸ ਸਬੰਧ ਵਿਚ ਪ੍ਰਬੰਧਕੀ ਅਫਸਰ, 2 ਅਤੇ ਮੈਨੇਜਰ ਲੇਖਾ ਦੀ ਸਬ ਕਮੇਟੀ ਬਣਾਈ ਗਈ ਜਿਸਦੀ ਰਿਪੋਰਟ **Annexure A 76.05.01** ਤੇ ਹੈ। ਕਮੇਟੀ ਨੇ ਲੋਕਲ ਸਫਰ ਲਈ ਸਿਫਾਰਸ਼ ਕੀਤੀ ਹੈ ਕਿ "Staff may hire online taxi services for local journeys as per above entitlement. The staff, before taking up the journey, shall get Tour Programme approved in the Format-1, Actual expenses may be reimbursed on production of bill/invoice along with approved tour Programme."

**B. Hiring of vehicle on daily basis upto 250 KM:**

ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਪੱਤਰ ਨੰ. 2/10/91-4 T2/752-757 ਮਿਤੀ 18.06.2021 ਅਤੇ ਪੱਤਰ ਨੰ. 9/1/2016-3T2(P.F)/13 ਮਿਤੀ 06.01.2021 ਰਾਹੀਂ ਜਾਰੀ ਹਦਾਇਤਾਂ ਮੁਤਾਬਕ ਸਟਾਫ ਦੀ ਪਾਤਰਤਾ ਮੁਤਾਬਕ ਡੇਲੀ ਬੇਸਿਸ ਤੇ ਗੱਡੀਆਂ ਕਿਰਾਏ ਤੇ ਲੈਣ ਲਈ ਅਥਾਰਟੀ ਨੇ ਮਤਾ ਨੰ. 51.08 ਮਿਤੀ 05.08.2022 ਰਾਹੀਂ ਪ੍ਰਵਾਨਗੀ ਦਿੱਤੀ ਸੀ।

i. ਮਿਤੀ 03.07.2023 ਨੂੰ ਸ਼੍ਰੀ ਮਨਿੰਦਰ ਸਿੰਘ, ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ ਨੇ ਆਪਣੀ ਟੀਮ ਸਮੇਤ ਲੁਧਿਆਣਾ ਵਿਖੇ ਪ੍ਰਮੀਸ਼ਨਾਂ ਦੇ ਸਬੰਧ ਵਿਚ ਟ੍ਰੇਨਿੰਗ ਕੈਂਪ ਲਾਇਆ ਸੀ। ਲੁਧਿਆਣਾ ਜਾਣ -ਆਉਣ ਲਈ ਸਰਕਾਰ ਵੱਲੋਂ ਨਿਰਧਾਰਤ ਰੇਟਾਂ ਤੇ ਮੋਟਰ ਗੱਡੀ ਕਿਰਾਏ ਤੇ ਲੈਣ ਸਬੰਧੀ ਕੋਸ਼ਿਸ਼ ਨਾਕਾਮ ਰਹੀ ਕਿਉਂ ਜੋ ਡੇਲੀ (250) ਕਿਲੋਮੀਟਰ ਤੱਕ (ਮੋਟਰ ਗੱਡੀ ਕਿਰਾਏ ਤੇ ਲੈਣ ਦਾ ਕਿਰਾਇਆ ਸਰਕਾਰ ਨੇ -/2437 ਰੁਪਏ ਨਿਰਧਾਰਤ ਕੀਤਾ ਹੈ ਜਦੋਂ ਕਿ ਮਾਰਕਿਟ ਵਿਚ ਇਸ ਰੇਟ ਤੇ ਗੱਡੀ ਉਪਲੱਬਧ ਨਹੀਂ ਹੋਈ । ਆਨਲਾਈਨ ਗੱਡੀਆਂ ਕਿਰਾਏ ਤੇ ਲੈਣ ਦੀ ਦਰ ਵੀ ਸਰਕਾਰੀ ਦਰ ਤੋਂ ਜ਼ਿਆਦਾ ਸੀ। ਲੋਕਲ ਮਾਰਕਿਟ ਚੋਂ ਲਈਆਂ ਕੁਟੇਸ਼ਨਾਂ ਅਤੇ ਆਨਲਾਈਨ ਗੱਡੀ ਦਾ ਕਿਰਾਇਆ **Annexure A 76.05.03** ਤੇ ਹੈ। ਮਿਤੀ 25.07.2023 ਨੂੰ ਤਕਨੀਕੀ ਸਹਾਇਕ, ਕਾਰਜਕਾਰੀ ਇੰਜੀਨੀਅਰ, ਐਸ.ਡੀ.ਓ ਅਤੇ ਤਕਨੀਕੀ ਮੈਨੇਜਰ ਨੇ ਪੰਜਾਬ ਪ੍ਰਦੂਸ਼ਣ ਨਿਯੰਤਰਣ ਬੋਰਡ ਦੀ ਮੀਟਿੰਗ ਵਿਚ ਭਾਗ ਲੈਣ ਲਈ ਪਟਿਆਲਾ ਵਿਖੇ ਜਾਣਾ ਸੀ। ਇਸ ਦਿਨ ਵੀ ਸਰਕਾਰ ਵੱਲੋਂ ਨਿਰਧਾਰਤ ਕਿਰਾਏ ਤੇ ਲੋਕਲ ਮਾਰਕਿਟ ਵਿਚੋਂ ਅਤੇ ਆਨਲਾਈਨ ਗੱਡੀਆਂ ਉਪਲੱਬਧ ਨਹੀਂ ਹੋਈਆਂ। ਇਸ ਸਬੰਧ ਵਿਚ ਤਕਨੀਕੀ ਸਲਾਹਕਾਰ ਦਾ ਲਿਖਤੀ ਨੋਟ **Annexure A 76.05.04** ਤੇ ਹੈ। ਮਿਤੀ 09.08.2023 ਨੂੰ ਪਟਿਆਲਾ ਅਤੇ ਲੁਧਿਆਣਾ ਜਾਣ -ਆਉਣ ਲਈ ਓਲਾ, ਉਬਰ ਅਤੇ ਇਨਡਰਾਇਵ ਐਪ ਤੋਂ ਆਨਲਾਈਨ ਰੇਟ ਲਏ ਗਏ ਜਿਨ੍ਹਾਂ ਦੇ ਸਕਰੀਨ ਸ਼ਾਟ **Annexure A 76.05.05** ਤੇ ਹੈ। ਇਹ ਦਰਾਂ ਸਰਕਾਰ ਵੱਲੋਂ ਨਿਰਧਾਰਤ ਦਰਾਂ ਤੋਂ ਵੱਧ ਹਨ।

ii. ਗੱਡੀਆਂ ਕਿਰਾਏ ਤੇ ਲੈਣ ਸਬੰਧੀ ਮਹਾਤਮਾ ਗਾਂਧੀ ਪੰਜਾਬ ਸਟੇਟ ਇੰਸਟੀਚਿਊਟ ਆਫ ਪਬਲਿਕ ਐਡਮਨਿਸਟ੍ਰੇਸ਼ਨ ਵੱਲੋਂ ਨਿਰਧਾਰਤ ਮਾਪਦੰਡ ਅਤੇ ਦਰਾਂ ਦੀ ਕਾਪੀ ਪ੍ਰਾਪਤ ਕੀਤੀ ਜੋ ਕਿ **Annexure A 76.05.02** ਤੇ ਹੈ। ਇਹ ਦਰਾਂ ਸਰਕਾਰ ਵੱਲੋਂ ਨਿਰਧਾਰਤ ਦਰਾਂ ਤੋਂ ਵੱਧ ਹਨ।

**C. Entitlement of Vehicles:**

ਨਵੀਆਂ ਗੱਡੀਆਂ ਖ਼ੀਦਣ ਤੇ ਤਿੰਨ ਸਾਲ ਤੋਂ ਪੰਜ ਸਾਲ ਲਈ ਕਿਰਾਏ ਤੇ ਲੈਣ ਹਿੱਤ ਪੰਜਾਬ ਸਰਕਾਰ ,  
ਟਰਾਂਸਪੋਰਟ ਵਿਭਾਗ ਨੇ ਪੱਤਰ ਨੰ 3-2016/01/09 .T2(PF)/333ਮਿਤੀ 22.02.2023 (Annexure A  
76.05.06)ਰਾਹੀਂ ਹਦਾਇਤਾਂ ਜਾਰੀ ਕੀਤੀਆਂ ਹਨ:

“2. The **revised future entitlement** of vehicles for officer/officials of all the departments shall be categorized in TWO groups.

*Group 1: Vehicles in price range of Rs. 5 Lakhs to 10 Lakhs*

*Group2: Vehicles in price range of Rs. 10 Lakhs to 20 Lakhs*

*(The fore mentioned prices are to be GeM Prices/ex showroom Prices)*

*Group 1: All Officers below the rank of HOD including pool vehicles.*

*Group 2:DC, SSP, Divisional Commissioners, Range DIG, Police Commissioners, IGs, ADGP, HoD and above.*

### **Purchase of New Vehicles:**

3. Following instructions would be strictly observed while purchasing the new vehicle:
- The departments or officers entitled are free to choose a particular vehicle depending upon their requirement within the limits of the Group price range mentioned above.*
  - The vehicles shall be purchased through GeM portal only. However, if the vehicle is not available on GeM portal it shall be purchased directly from the manufacturer.*
  - Preference should be given to EV/CNG/Petrol vehicles.*
  - All the existing entitlements stand modified to this extent except for any special purpose vehicles and for any clarification' the issue may be referred to Moto Vehicle Board for appropriate decision.*
  - Purchase of vehicles should be avoided and hiring be done instead.*
  - All the future provisioning of vehicles against newly created posts would only be on hiring basis. Resultantly any available driver post be considered for transfer to Transport Department.*
  - The life norms to all the Government vehicles (Petrol) attached with the officers in view of the improved road conditions and improved technology in the vehicles manufacturing shall be 4 lakhs kilometers or 10 years, whichever is earlier.*
  - The Head of the Department (HoD) can take a decision to continue the using a vehicle even after completion of their life norms fixed by Motor Vehicles Board depending upon the condition of vehicle and intended use on year-to-year basis, till validity of the registration certification of the vehicle.*
  - The fuel mileage of the vehicles shall be fixed by the concerned department with the approval of HOD subject to the variation that the mileage claimed by the Vehicles Manufacturer can be maximum up-to 20% less for vehicles with less than 5 years of age and maximum 30% less for vehicles with more than 5 years and less than 10 years of age.”*

5. ਪ੍ਰਾਈਵੇਟ ਮੋਟਰ ਵਹੀਕਲ 3 ਤੋਂ 5 ਸਾਲ ਤੱਕ ਕਿਰਾਏ ਤੇ ਲੈਣ ਲਈ ਪੰਜਾਬ ਸਰਕਾਰ,ਟਰਾਂਸਪੋਰਟ ਵਿਭਾਗ ਨੇ ਪੱਤਰ ਨੰ4-91/10/2 .ਟੀ 432/2 ਮਿਤੀ ) 02.03.2023Annexure A 76.05.07 (ਨੇ ਹੇਠ ਲਿਖੇ ਅਨੁਸਾਰ ਸੋਧੇ ਰੇਟ ਜਾਰੀ ਕੀਤੇ ਹਨ:



**“1. Hiring of Vehicles for 3 years extendable up to 5 years:**

<i>Group</i>	<i>Monthly rates (2000 km per month)  (In Rs.)</i>	<i>Charges for extra Kms (over 2000 km per month) In Rs. Per KM  (In Rs.)</i>	<i>Night halting charges.  (In Rs.)</i>
<i>Group 1  Cost of the vehicles ranging from Rs. 5 lacs to Rs. 10 lacs (GeM Prices/Ex-show room prices).</i>	<i>45,000</i>	<i>10</i>	<i>200</i>
<i>Group 2 Cost of the Vehicles ranging from Rs. 10 lacs to Rs. 20 lacs (GeM prices/Ex- show room prices)</i>	<i>50,000</i>	<i>11.75</i>	<i>200</i>

**Note:** Concerned authorities shall ensure that all payments are made from their respective budgetary provisions.

The vehicles shall be hired as per entitlement fixed by the Motor Vehicles Board from time to time. The concerned department will ensure to compliance of the instructions regarding the purchase and hiring of vehicles issued by the Finance Department from time to time. The department can also hire the vehicles from the market through open tender by following the instructions issued by the Finance Department at their own level. These instructions will be applicable to all the Punjab Government Departments.

These instructions are issued in the supersession of letter No. 2/10/91-4T/752-757 dated 18.06.2021.”

.6 ਇਹ ਹਦਾਇਤਾਂ ਪੰਜਾਬ ਸਰਕਾਰ ਦੇ ਸਾਰੇ ਦਫਤਰਾਂ , ਪਬਲਿਕ ਸੈਕਟਰ ਅਦਾਰੇ , ਅਰਧ ਸਰਕਾਰੀ , ਨੀਮ ਸਰਕਾਰੀ ਅਦਾਰੇ , ਟ੍ਰਿਬਿਊਨਲ ਸੁਸਾਇਟੀਆਂ , ਕਮਿਸ਼ਨਜ਼ ਅਤੇ ਸਥਾਨਕ ਸਰਕਾਰ ਪੰਚਾਇਤ ਵਿਭਾਗ ਦੇ/ ਸੰਸਥਾਵਾਂ ਤੇ ਲਾਗੂ ਹਨ/ਦਫਤਰਾਂ।

.7 ਹੇਠ ਲਿਖੇ ਮੁੱਦੇ ਵਿਚਾਰਨ ਅਤੇ ਫੈਸਲੇ ਹਿੱਤ ਪੇਸ਼ ਹਨ:

ੳ ਪਤਰਤ ਅਨੁਸਾਰ ਦੇ (ਗੱਡੀਆਂ ਈ. ਟੈਂਡਰ ਜਾਂ ਲੋਕਲ ਮਾਰਕੀਟ 'ਤੇ ਕੁਟੋਸ਼ਨ ਲੈ ਕੇ 3 ਤੋਂ 5 ਸਾਲ ਲਈ ਕਰਏ ਤੇ ਲੈ ਲਈਆਂ ਜਣ ਜਾਂ ਨਿਰਧਾਰਤ ਵੱਧੇ ਅਨੁਸਾਰ ਨਵੀਆਂ ਖਰੀਦ ਲਈਆਂ ਜਣ।

ਅ) ਟਰਾਈਸਿਟੀ (ਚੰਡੀਗੜ੍ਹ, ਮੋਹਾਲੀ, ਪੰਚਕੂਲਾ) ਵਿੱਚ ਲੋਕਲ ਸਫਰ ਲਈ ਆਨਲਾਈਨ ਟੈਕਸੀ ਆਦਿ ਕਿਰਾਏ ਤੇ ਲੈਣ ਸਬੰਧੀ।

ੲ) ਆਪਾਤਕਾਲ ਜਾਂ ਪੂਲ ਵਹੀਕਲ ਨਾ ਉਪਲਬੱਧ ਹੋਣ ਦੀ ਸੂਰਤ ਵਿੱਚ, ਟਰਾਈਸਿਟੀ ਤੋਂ ਬਾਹਰ ਸਫਰ ਕਰਨ ਲਈ ਗੱਡੀ ਕਿਰਾਏ ਤੇ ਲੈਣ ਸਬੰਧੀ।

ਸ) ਕਿਰਾਏ ਦੀ ਦਰ ਸਰਕਾਰ ਵਲੋਂ ਨਿਰਧਾਰਤ ਦਰ ਤੋਂ ਵੱਧ ਹੋਣ ਦੀ ਸੂਰਤ ਵਿਚ ਮਨਜ਼ੂਰੀ ਦੇਣ ਸਬੰਧੀ।

**Decision: A. Comprehensive proposal regarding hiring of online taxi services be put up in the next meeting. Till such time, staff may continue to avail online and offline taxi services for cars, three wheelers, two wheelers etc. for local journeys within the tri-city with the approval of Secretary PWRDA. Actual expenses be reimbursed on production of bill/invoice duly verified by the claimant.”**

**B. Since, the Government instructions dated 02.03.2023 are silent on hiring of vehicles for journeys below 250 KM, hence a fresh proposal be put up hiring of vehicles below 250 KM in the next meeting.**

**C. Secretary to examine the model hiring contract agreement circulated by the Government. Changes required, if any, in the model contract agreement, be put up in the next meeting.**

**Item No. 76.06: CWP 19597/2023 entitled Shreyans Industries Limited V/s State of Punjab and Another; CWP 20930/2023 entitled Punjab Dyers Association V/s State of Punjab and Another, CWP 18912/2023 entitled Cremica Food Industries Ltd. V/s PWRDA and CWP-PIL-105-2023 entitled Dhruv Chawla V/s PWRDA and others.**

**A. CWP 19597/2023 entitled Shreyans Industries Limited V/s State of Punjab and Another; CWP 20930/2023 entitled Punjab Dyers Association V/s State of Punjab and another** were filed against the Authority in the Hon’ble Punjab and Haryana High Court. CWP 19597/2023 and CWP 20930/2023 came up for hearing on 05.09.2023 and 09.09.2023 respectively. CWPs were listed together on 25.09.2023. Next date of hearing in both the cases is 16.01.2024 for reply.

*i.* In anticipation of approval by the Authority, Chairperson accorded sanction to engage Sh. Sanjeev Sharma Senior Advocate (P/390-A/1983) to defend the Authority in **CWP 19597/2023; and CWP 20930/2023** at lump-sum fees Rs. 4.50 lakh for first case and 60% less for the subsequent cases vide order dated 22.09.2023 (**Annexure A76.06.01**). The Authority ratified this decision by Resolution no. 70.05 (**Annexure A76.06.06**).

*ii.* The office of Senior Advocate raised **1<sup>st</sup> fee bill** dated 26.09.2023 (**Annexure A76.06.02**) of **Rs. 9,40,000/-** for three cases i.e., Rs 4,50,000 for CWP 19597, Rs 2,70,000 for CWP 18912 and Rs 2,70,000 for CWP 20930 whereas, he was engaged for two cases only. The same day, **2<sup>nd</sup> fee bill** was received (**Annexure A76.06.03**) for 2 cases i.e., Rs 4,50,000/- for CWP 19597 and Rs. 2,70,000 for CWP 20930 and total **Rs. 7,20,000/-** inter alia mentioning that ‘*the fees for the subsequent cases which has been mentioned as sixty percent less for the subsequent cases, seems to be mentioned by mistake or by*

*misunderstanding.* Legal Executive clarified to the junior Counsel Mr. Vikram that the Authority had approved legal fees of Rs. 4.50 lakh in the first case subject to the discount of 60% in subsequent cases. However, on 27.09. 2023, 3<sup>rd</sup> fee bill (**Annexure A76.06.04**) with 50% less of main case fee i.e., Rs. 2,25,000/- for CWP 20930 was received. On the directions of Chairperson, a meeting was held with Mr. Vikram in the Office of Additional Secretary in the presence of Legal Executive and Mr. BS Thind ADO on 29.09.2023. Mr. Vikram was impressed upon to charge 60% less fee for second and subsequent cases as approved by the Authority. After the meeting fee bill of Rs. 6.75 lakh was received (**Annexure A76.06.05**) saying that “*connected case means the case which has been ordered by the Court to be heard along with main case and accordingly has been clubbed for hearing with the main case*”.

iii. On 17.10.2023, the Counsel requested (**Annexure A76.06.07**) for payment of fee as per bill dated 29.09.2023. Payment of Rs. 5,67,000/- was made on 19.10.2023 at the rates approved by the Authority (**Annexure A76.06.08**). On 03.11.2023(**Annexure A76.06.09**) the Counsel requested for release of balance payment of 10% at the earliest.

iv. On 07.11.2023, Punjab Government issued sanction to Advocate General Punjab to defend CWP 19597/2023 and CWP 20930/2023 at government expenses on behalf of defended number 1 and 2. (**Annexure A76.06.10**). The relevant content of the letters is reproduced below:

"ਪੰਜਾਬ ਦੇ ਰਾਜਪਾਲ ਜੀ ਪ੍ਰਸੰਨਤਾ ਪੂਰਵਕ ਉਕਤ ਰਿੱਟ ਪਟੀਸ਼ਨ ਨੂੰ ਸਰਕਾਰੀ ਉੱਤਰਦਾਤਾ ਨੰਬਰ 1 ਅਤੇ 2 ਦੀ ਤਰਫ਼ੋਂ ਸਰਕਾਰੀ ਖਰਚੇ ਤੇ ਫਿਫੈਂਡ ਕਰਨ ਲਈ ਮੰਨਜ਼ੂਰੀ ਦਿੰਦੇ ਹਨ।

ਸਰਕਾਰ ਦੀ ਅਗੇਤਰੀ ਪ੍ਰਵਾਨਗੀ ਤੋਂ ਬਿਨਾਂ ਮਾਨਯੋਗ ਅਦਾਲਤ ਵਿੱਚ ਕੋਈ ਅਜਿਹੀ ਅੰਡਰਟੇਕਿੰਗ ਨਾ ਦਿੱਤੀ ਜਾਵੇ ਜਿਹੜੀ ਕਿ ਜਵਾਬ-ਦਾਅਵਾ /ਰਿਕਾਰਡ ਦੇ ਵਿਰੁੱਧ ਹੋਵੇ।

ਉਪਰੋਕਤ ਦਾ ਇੱਕ ਉਤਾਰਾ ਹੇਠ ਲਿਖਿਆਂ ਨੂੰ ਅਗਲੇਰੀ ਲੋੜੀਂਦੀ ਕਾਰਵਾਈ ਹਿੱਤ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ:-

1. ਸਕੱਤਰ, ਪੰਜਾਬ ਜਲ ਨਿਯੰਤਰਣ ਅਤੇ ਵਿਕਾਸ ਅਥਾਰਟੀ ਨੂੰ CWP No. 19597 of 2023 *Shreyans Industries Limited Vs State of Punjab and Another* ਦੀ ਕਾਪੀ ਭੇਜਦੇ ਹੋਏ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਇਸ ਕੇਸ ਨੂੰ ਰਿਕਾਰਡ ਤੇ ਆਏ ਤੱਥਾਂ ਦੇ ਆਧਾਰ ਤੇ ਵਿਚਾਰਦੇ ਹੋਏ ਸਮਰੱਥ ਅਥਾਰਟੀ ਦੀ ਪ੍ਰਵਾਨਗੀ ਉਪਰੰਤ ਸਰਕਾਰੀ ਉੱਤਰਦਾਤਾ ਨੰ. 1 ਅਤੇ 2 ਦੀ ਤਰਫ਼ੋਂ ਲੋੜੀਂਦੀ ਜਵਾਬ-ਦਾਅਵਾ ਸੁਣਵਾਈ ਦੀ ਮਿਤੀ ਤੋਂ ਪਹਿਲਾਂ ਪਹਿਲਾਂ ਦਾਇਰ ਕੀਤਾ ਜਾਵੇ। ਇਸ ਤੋਂ ਇਲਾਵਾ ਇਹ ਵੀ ਲਿਖਿਆ ਜਾਂਦਾ ਹੈ ਕਿ ਮਾਨਯੋਗ ਹਾਈਕੋਰਟ ਵਿਖੇ ਹਰੇਕ ਸੁਣਵਾਈ ਦੀ ਮਿਤੀ ਨੂੰ ਪੇਸ਼ੀ ਅਟੈਂਡ ਕਰਨ ਲਈ ਮਾਮਲੇ ਦੇ ਤੱਥਾਂ ਤੋਂ ਜਾਣੂ ਸੀਨੀਅਰ ਅਧਿਕਾਰੀ ਦੀ ਡਿਊਟੀ ਲਗਾਈ ਜਾਵੇ ਅਤੇ ਕੋਰਟ ਵਿਖੇ ਹੋਈ ਕਾਰਵਾਈ ਬਾਰੇ ਸਰਕਾਰ ਨੂੰ ਸੂਚਿਤਾ ਕੀਤਾ ਜਾਵੇ।"

To which Authority replied vide letters dated 15.11.2023 (**Annexure A76.06.16**) that, 'Authority has engaged Sr. Adv Sh. Sanjeev Sharma (P/390-A/1983) to defend the Authority in CWP 19597 of 2023 and CWP 20930. As regards the filing of reply on behalf of the State of Punjab is concerned, you may kindly request the Advocate General Punjab to do the same. This has already been conveyed to your office vide letter no 889 dated 22.09.2023 and letter no 76888/2023 dated 27.10.2023.

**B. CWP 18912/2023 entitled 'Cremica Food Industries Ltd. V/s PWRDA and CWP-PIL-105-2023 entitled Dhruv Chawla V/s PWRDA and others:**

*i.* CWP 18912/2023: The case came up for hearing on 28.08.2023 and the Hon'ble Court has ex-party stayed (**Annexure A76.06.10**) the operation of the impugned communication dated 27.03.2023 (**Annexure A76.06.11**). The next date of hearing is 13.02.2024. The brief facts of the case are at **Annexure A76.06.15**.

*ii.* The petitioner raised the following substantial questions of law for the determination of this Hon'ble Court in the present writ petition:-

- (i) Whether the action of the respondent Authority is illegal, arbitrary and without jurisdiction?
- (ii) Whether the draft guidelines are binding in nature without the same having been duly notified?
- (iii) Whether an Authority constituted under the Act of the legislature can travel beyond the powers delegated to it under the parent Act?
- (iv) Whether the action of the respondents Authority is discriminatory and violative of Article 14 of the Constitution of India?
- (v) Whether the petitioner company can be made liable to pay groundwater extraction charges in violation of the provisions of 2020 Act?
- (vi) Whether the petitioner company can be discriminated against in respect to payment of groundwater extraction charges viz-a-viz similar units who have granted time for applying for permission for groundwater extraction water up to 30<sup>th</sup> September 2023?

*iii.* **CWP-PIL-105/2023:** Advance soft copy (**Annexure A76.06.12**) was received on 20.11.2023 from the office of PSWRD. The brief facts of the case are at **Annexure A76.06.14**. The PIL came up for hearing on 24.11.2023. The following order was passed(**Annexure A76.06.13**).This case is listed for hearing on 29.01.2024.

*"The petitioner will hand over a copy of the writ petition to learned counsel for the State during the course of the day.*

*Learned counsel for the State will go through the contents of the PIL and inform us on the next date of hearing with respect to decision taken by the Government as to why multiple objections (Annexure P-8) have been totally ignored while issuing guidelines (Annexure P-1)? The respondents will also examine the issue as to why growing millets is not being promoted as they consume only 10% of the water and she will also inform us how the ground water extraction can be stopped as per their expert opinion?"*

iv. The petitioner prayed that Hon'ble Court may issue writ to mandamus or nay other appropriate writ, order or direction

A) directing the Respondents to either withdraw the Punjab Groundwater Extraction and Conservation Directions, 2023 dated 27.01.2023 or in the alternative, suitably amend the same in order for it to effectively serve the objective of curbing groundwater depletion in Punjab. Issue a writ of mandamus or any other appropriate writ,

B) order or direction directing the Respondents to incorporate provisions pertaining to water conservation in agriculture, as provided for under the Draft Punjab Groundwater Extraction and Conservation Directions, 2020.

v. The Counsel to defend CWP 18912/2023 and CWP -PIL-105/2023 is yet to be engaged.

**C. The Authority may decide on the following issues:**

a) to revise legal fees as per request of Counsel in CWP 20930 of 2023, since previous decisions were based on oral discussion with junior due to paucity of time.

b) to engage counsel to defend CWP 18912/2023 and CWP-PIL-105/2023 and amount of fee to be paid.

Placed before Authority for consideration.

**Decision: a) Approved revision of legal fee of the counsel as per his request to Rs. 2,25,000/- for CWP 20930/2023 i.e., 50% of the fee of main case (19597/2023).**

**b) Deferred.**

**Item No. 76.07: Recruitment to one post of Private Secretary.**

There are 4 sanctioned posts of Private Secretary as per the PWRDA (Appointment & Service Conditions of Employees) Regulations, 2020. Three posts were filled by calling

application through advertisement. To fill remaining one post, decision was taken in 55<sup>th</sup> Meeting held on 22.11.2022. The post was advertised on 06.12.2022. Till last date total 8 applications were received out of which two candidates were found eligible. The eligible candidates were asked to appear in the computer proficiency and short hand test. In the test none of the candidate was found fit for selection for the post of Private Secretary. Since, then this post is lying vacant.

Now, the government has Appointed Sh. Chander Gaiid, IASas Secretary, PWRDA. He has joined on 06.12.2023. In the interest of office work, the one vacant post of Private Secretary may be filled.

**Qualification & Experience** for the post of Private Secretary as per Annexure B of PWRDA (Appointment & Service Conditions of Employees) Regulation, 2020 are as under:

**A. Public Sector**

Serving/Retired employee who has worked as Private Secretary or Superintendent for 1 year; or as Personal Assistant for 3 years; or Senior Assistant for 5 years

**Or**

**B. Private Sector**

- (i) Graduation from a recognised University
- (ii) Matric pass in Punjabi language, and
- (iii) 10 years' experience with high proficiency in computer operations, document creation and processing, email and social media correspondence in English and Punjab.

**Monthly Remuneration** as per Annexure A of PWRDA (Appointment & Service Conditions of Employees) Regulation, 2020 is Rs. 50000/-

Qualification /Experience/age/monthly remuneration as per last advertisement published 06.12.2022 are as under:

- a) To be filled from amongst Public Sector employees Serving/Retired employee who has worked as Private Secretary or Superintendent for 1 year; or as Personal Assistant for 3 years; or Senior Assistant for 5 years.
- b) The candidates will be tested for their skills in taking dictation in shorthand, typing and working on computers.
- c) Gross monthly emoluments Rs. 45,000/- fixed.
- d) Maximum age on last date of application: 65 years.

Qualification, experience, monthly remuneration and mode of recruitment may be decided.

Placed before the Authority for consideration.

**Decision: i. *Approved qualification, experience, age and monthly remuneration for this post as per last advertisement published on 06.12.2022.***

- ii. Applications be called through advertisement in two daily newspapers one each in Punjabi and English language giving fifteen days' time.*

**Item No. 76.08: Requirement of Additional Office Space.**

The Punjab Groundwater Extraction and Conservations Direction, 2023 has come into force w.e.f. 01.02.2023. The Work load is likely to increase manifold as a result more manpower will be required. Presently Authority is running its office in the Punjab Mandi Board Old Building taken on rent in Sector 17 C, Chandigarh having carpet area of about 5100 sq. ft. The Authority has strength of 70 sanctioned posts and 39 persons have already been filled and remaining posts are likely to be filled shortly. The current office space can accommodate only 30 to 34 staff.

Since the existing office space available with the authority cannot accommodate more staff, accordingly additional office space is required for accommodating more manpower. It has come to the notice of the Authority that Chandigarh Housing Board (CHB) has decided to lease out its old building (block A) having an area around 16,160 sq. ft. comprising 52 rooms and equal area of basement parking in Sector- 9, Chandigarh. The A block of this building is vacant for lease to government sector at Central Public Works Department (CPWD) rate, which is currently Rs. 203 (**Annexure 76.08.01**) per square feet. Executive Engineer PWD (B&R), Punjab has also accessed the rent @ Rs. 202/- sq. ft, exclusive GST (**Annexure 76.08.02**).

In order to check the feasibility for housing the Authority office a recce was conducted by Additional Secretary and Administrative Officer-1. As per discussion with the CHB dealing officials minimum 5000 sq ft area can be leased.

It is worth mentioning that since occupations the Authority is making payment of Rs 2, 64,865/- + GST for 5100 square feet area as assessed by Executive Engineer PWD (B&R), Punjab Chandigarh, vide their letter no 1164 dated 30.03.2022 (**Annexure 76.08.03**). However, PMB while forwarding lease agreement has claimed it to be Rs. 5,57,813/- + GST for the period 01.10.2020 to 30.09.2021, Rs 5,85,704/- + GST from 01.10.2021 to 30.09.2022 and Rs 6,13,597/- + GST from 01.10.2022 to 30.09.2023 (**Annexure 76.08.04**). The lease agreement has still not been executed till date. Therefore, the rent rates may increase by PMB at the time of final agreement.

Authority by letter dated 06.10.2023(**Annexure 76.08.05**), has requested the Department of General Administration, Punjab to provide minimum space of 10,000 sq. ft.

for the Authority Office. However, GAD vide their letter no. 715236/2023 dated 26.10.2023 (**Annexure 76.08.06**) has conveyed its inability to provide required space to the Authority both in Chandigarh and SAS Nagar (Mohali).

Keeping the above in view, it is proposed that the Authority may consider to give advertisement for hiring of minimum space of 10,000-12,000 sq. ft. carpet area in and around Chandigarh for complete shifting of the Authority Office.

Placed before the Authority for consideration.

**Decision:** *Deferred. To be put up as a fresh item with comprehensive proposal.*

**Item No. 76.09: Proposal for extension of timeline for enhancement of Permission module of PWRDA Web Application.**

The Payment module for UAT has been submitted by NIC. After the completion of UAT, the Payment Module will be hosted on the production server at PSDC, DGR to process Groundwater monthly payments online.

2. However, development of several modules is required for enhancing the permission portal is still pending. Therefore, Scientist 'E'/ Director(IT), NIC has submitted the proposal for seeking an extension of the timeline for enhancing the permission module of the PWRDA Web Application, as detailed in the attached email (**Annexure-76.09.01**).

3. The estimated cost for this extension to enhance the Permission Module is Rs. 29,031,71 in addition to the existing project cost. It requires the engagement of a manpower of 4 persons for 8 months, with the following profiles:

- 1 Developer Profile (level 8) (Tier-1A)
- 1 UI/UX Profile (level 4) (Tier-1A)
- 1 Developer Profile (level 4) (Tier-1A)
- 1 Developer Profile (level 1) (Tier-1A)

4. The expenditure of Rs. 29,03,171/- may be allowed out of funds available for the current year under budget Head: '2.7 Computerization/ software and website development and maintenance'.



5. Additionally, Scientist 'E'/ Director(IT), NIC Punjab, in a separate email dated 22.11.2023, submitted a PI Request form for an 8-month extension requiring signature and stamping by the Manager IT is placed at **Annexure-76.09.02**.

6. Authority may approve further 8 months extension of the Permission module, so that the Manager IT may stamp and sign the PI request form to obtain the PEF (Project Execution Form) for the 8-month extension of the timeline dedicated to enhancing the Permission module.

Placed before authority for consideration.

**Decision:** *Deferred.*

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