

PUNJAB WATER REGULATION AND DEVELOPMENT AUTHORITY
SCO No. 149-152, Third Floor, Sector 17C, Chandigarh.

Minutes of 83rd meeting of Punjab Water Regulation and Development Authority held on 02.04.2024 at 03.00 PM in the Committee Room of the Authority under the chairmanship of Sh. Karan Avtar Singh, Chairperson PWRDA.

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

In attendance: Mr. Chander Gaiind, IAS, Secretary and Mr. J.K. Jain, Addl. Secy.

Item No. 83.01: Confirmation of Minutes of 82nd Meeting.

The Minutes of 82nd Meeting held on 15.03.2024 were emailed to all concerned. No comments received. Minutes may be confirmed.

Decision: Confirmed.

Item No. 83.02: Action Taken Report.

Action taken report on the decision taken in the previous meetings is at **Annexure A 83.02.01.**

Decision: Noted.

Item No. 83.03: Action against units for non-payment of Ground Water Charges.

The subject matter was last placed before the Authority as agenda item no. 82.06 in the meeting held on 15.03.2024 but it was deferred.

2. The draft SOP is at **Annexure A 83.03.01**
3. The draft Notices are at **Annexure A 83.03.02, Annexure A 83.03.03, Annexure A 83.03.04 and Annexure A 83.03.05.**

Placed before the Authority for consideration.

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

Item No. 83.04: Expiry of contract of Mr. Davinder Singh, Manager Accounts, PWRDA.

Mr. Davinder Singh, Manager Accounts applied for renewal of his contract on 20.03.2024 stating therein that:

“With reference to subject it is submitted that vide Authority letter no. PWRDA-PWRD0GENL/15/2020-PWRDA BRANCH/I/32523/2022 dated 18.04.2022 undersigned was appointed Manager Accounts for one year. I joined the Authority office on 18.04.2022 (Forenoon).

Further, the contract period was extended vide order dated 18.04.2023. My contract period will complete on 17.04.2024. During the period of employment, I have performed all the duties relates to the Manager Accounts in the time bound manner and to the satisfaction of the Authority. It is, therefore, requested that my contract period may kindly be renewed for further period with suitable increase salary.”

2. Mr. Davinder Singh, was initially appointed as Manager Accounts on contract basis for a period of one year at monthly remuneration of Rs. 65,000/- (fixed). The contract was extended for one year at the same terms, conditions and remuneration. This contract ends on 16.04.2024.

3. There is nothing adverse on record against him and he has not attained the age of 70 years. Regarding performance review report, Authority on 05.09.2023 vide Resolution no. 69.04 has approved to do away with the existing procedure of half yearly and yearly PRRs in case of yearly contractual employment.

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

5. 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.”

6. As per Annexure-A of the said Regulations, the indicative monthly remuneration for the post of Manager Accounts for the year 2020-21 is Rs. 70,000/-.

7. The Authority may decide on the following:

- a. Hiring of the services on contract for the post of Manager Accounts w.e.f. 18.04.2024 (17.04.2024 being a closed holiday).
- b. The period of hiring of services.
- c. The terms & conditions of the contract.
- d. Monthly remuneration.

Placed before the Authority for consideration.

Decision: *Mr. Davinder Singh be hired on contract for the post of Manager Accounts for a period of one year starting from 18.04.2024 or from his actual date of joining which shall not be later than two weeks from 18.04.2024. The monthly remuneration shall be Rs. 68900/- (Rs. Sixty-eight thousand nine hundred only) fixed. The terms and conditions of the contract/offer letter shall be as per Annexure M 69.03.01.*

Item No.83.05: Expiry of contract of Dr. Ujjal Mal, Technical Manager (Groundwater).

Dr. Ujjal Mal, Technical Manager (Groundwater) made a written request on 12.03.2024 for renewal of his contract stating therein that:

“With reference to the subject it is submitted that via Authority Letter No. 106923: PWRDA-PWRD0GENL/20/2022-PWRDA BR/49087/2023 dated 10.05.2023; Undersigned was offered a contractual employment of Technical Manager (Groundwater) for a period one year with monthly emoluments of Rs. 70,000/- (consolidated). I joined the Authority office on 10.05.2023 (Forenoon). My contract period will complete on 09.05.2024. During the period of my employment, I have performed all the duties assigned to me in a time bound manner and to the satisfaction of the Authority. It is, therefore, requested that my contract period may kindly be renewed for further one year with suitable increase in salary.”

2. Dr. Ujjal Mal was appointed as Technical Manager (Groundwater) on contract basis initially for a period of one year at the monthly remuneration of Rs. 70,000 per month (fixed). He joined on 10.05.2022. The contract was extended for another year up to 09.05.2024 at the same terms, conditions and remuneration.

3. There is nothing adverse on record against him and he has not attained the age of 70 years. Regarding performance review report, Authority on 05.09.2023 vide Resolution on 69.04 has approved to do away with the existing procedure of half yearly and yearly PRRs in case of yearly contractual employment.

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

5. 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.”

6. As per Annexure-A of the said Regulations, there are four posts of Technical Expert and indicative monthly remuneration for this post is Rs.70,000 to 1,20,000/-.

7. The Authority may decide on the following:

- a. Hiring of the services on contract for the post of Technical Manager (Groundwater) w.e.f. 13.05.2024 (10,11 & 12 May, 2024 being closed holidays).
- b. The period of hiring of services.
- c. The terms & conditions of the contract.

- d. Monthly remuneration.
Placed before the Authority for consideration.

Decision: *Dr. Ujjal Mall be hired on contract for the post of Technical Manager Groundwater for a period of one year starting from 13.05.2024 or from his actual date of joining which shall not be later than two weeks from 13.05.2024. The monthly remuneration shall be Rs. 74,200/- (Rs. Seventy-four thousand two hundred only) fixed. The terms and conditions of the contract/offer letter shall be as per Annexure M 69.03.01.*

Item No. 83.06: Procurement of Staff Car for Office Pool and Secretary.

Procurement of staff cars was taken up by the Authority in its 77th Meeting held on 20.12.2023 wherein the following decision was taken:

“a. After discussion and perusal of previous decision taken in PWRDA meeting on 02.03.2021, Authority observed that Agenda is incomplete as regards entitlement for vehicles. A self-contained proposal be put up separately before the Authority.

b. For the time being one pool vehicle of group 1 as mentioned in para 3 of Agenda be hired through e-tendering as per rules.”

Procurement of one staff car for office Pool.

2. In pursuance of the Authority decision for procurement of one group-1 vehicle for office pool, e-tender was floated on 08.02.2024 with 04.03.2024 as last date to bid. No bid received. The bid date was extended to 11.03.2024. Again, no bid received. Though a transparent and competitive process for hiring of motor vehicles was followed yet it did not fructify in any successful offer.

Procurement of staff car for Secretary

3. The agenda item “Hiring Motor Vehicles for PWRDA” was taken up in the Authority meeting held on 02.03.2021 and the following proposal was approved:

“That Authority may hire two Group-1 vehicles for the office pool and one vehicle each of Group-2 for the two Members. In addition, one vehicle of Group-2 may also be hired for the Secretary by equating him with HOD.

The vehicles will be hired after floating RFP/Tender. The terms and conditions of the Tender will broadly be in accordance with the Government instructions on this subject issued from time to time. The Chairman may be authorized to approve the RFP Document/Tender. An advertisement will be issued after approval of the RFP/Tender”.

4. E-tender for hiring of three Group-2 (Two for Members, one for Secretary) and two Group-1 vehicles was published on 22.12.2021. Though, the last date for submission of bids was extended four times and even certain terms and conditions of e-tender were changed so as to encourage a better response yet there was no response. Authority (Resolution No. 40.06 dated 09.03.2022) decided to purchase two staff cars for Members and one staff car for Chairperson (Resolution No. 46.03 dated 26.05.2022).

5. Punjab Water Regulation and Development Authority (Conduct of Business) Regulations 2021, refer to Secretary as head of office. Secretary was equated with HOD while delegating financial powers (**Annexure A83.06.01**) because in the PWRDA Employees Service Regulations 2020, Secretary is the senior most functionary and there is nobody else senior to him amongst the staff of the Authority.

6. As per the information fetched from the Government, five posts of drivers sanctioned in the Authority include one post for office of Secretary and one for General pool vehicle for other office staff.

7. From the aforementioned facts, it is clear that Secretary is entitled for vehicle and Authority on 02.03.2021 decided to hire one group 2 vehicle for Secretary. But it remained in abeyance as the post of Secretary was vacant from 15.02.2022 to 21.06.2023.

8. As per Transport Department, Punjab letter no. 9/01/2016-3T2(P. F)/333 dated 22.02.2023 (**Annexure A 83.06.02**) officers/officials have been categorized in two groups for entitlement of vehicles:

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

Group 2: Vehicles in price range of Rs. 10 Lacs to 20 Lacs

(The aforementioned 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 Commissioner, Range DIG, Police Commissioners, IGs, ADGP, HOD and above.

Government instructions dated 06.01.2021(**AnnexureA83.06.03**) inter alia say that *'Purchase of vehicles should ordinarily be avoided and hiring be done instead'*. The departments or officers are free to choose a particular vehicle depending upon their requirement within the limits of the Group price range mentioned above. The preference should be given to EV/CNG/Petrol vehicles.

9. Since, the process for hiring a vehicle for office pool has not fructified hence, it is proposed that Authority may decide to procure two vehicles, one for office pool and one for Secretary on GeM portal. Budget provision and necessary funds are available for this purpose.

Placed before the Authority for consideration.

Decision: *Keeping in view the facts of the case described in paragraph 2 above, it is clear that a transparent and competitive process for hiring of motor vehicles has been followed but it did not fructify in any successful offer. Therefore, Authority approved the purchase of one Motor Vehicle for office pool on GeM portal within the limits of the Group 1 price range of Rs. 5.00 lakh to Rs. 10.00 lakh. The purchase be made on GeM portal (if not available on GeM then directly from the manufacturer) by the Committee already constituted for this purpose. Expenditure shall be met out of the budget provision made for this purpose in the budget estimates of 2024-25.*

The Secretary may decide the particular vehicle depending upon office requirement within the limits of the Group-1 price range.

Item No. 83.07: Procurement of Motor Vehicles for Local Journey and on Daily Basis.

This subject matter was taken up in 76th meeting of the Authority as agenda item no. 76.05 and decided as under:

“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.”

“...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 for hiring of vehicles below 250 KM in the next meeting”.

Local journey:

2. As of now for local journey within the tri-city, staff is availing online taxi services in accordance with Authority decision referred herein above. UT Administration fixes fare of AC Taxi, Non-AC Taxi, Radio Auto and Ordinary Auto for journey **in Union Territory Chandigarh** from time-to-time. Current fare fixed by UT of Chandigarh Administration **for AC Taxi, Non-AC Taxi, Radio Auto and Ordinary Auto for journey in Union Territory Chandigarh** are at **Annexure A83.07.01.**

3. Authority may consider to cap the fare to be reimbursed for offline taxi services modifying the existing decision as proposed below:

Existing decision	Proposal
<p><i>“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.”</i></p>	<p><i>“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 subject to the condition that reimbursement of fare for offline taxi services shall not be more than the fare fixed/notified by the UT Administration and applicable at that time.”</i></p>

4. Hiring of taxi on daily basis.

The hiring rates received from State Transport Commissioner, Punjab vide letter no. STC-G(भगवत)/2024/3104 मिति 19.02.2024 (**Annexure A83.07.02**) are the same as fixed by the State Government vide letter no. 2/10/91-4 T2/752-757 dated 18.06.2021 which have already been adopted by the Authority (Resolution no. 51.08 dated 05.08.2022). The Govt. order is **silent** on rates for hiring of taxi on daily basis for journey below 250KM. Further, taxi services are not available at these rates as market rates are higher.

5. The Administration of Union Territory of Chandigarh fixes fares chargeable in respect of taxi/maxi cabs on plane area/hill area **on daily basis** for journey below and above 250 KMs from time to time. The current rates fixed by Chandigarh Administration are at **Annexure A83.07.03**.

6. The Authority may consider to adopt fare as fixed/notified for hiring of taxi services for journey up to and beyond 250KM by Chandigarh Administration from time to time in place of Punjab Government notification dated 18.06.2021 adopted on 05.08.2022.

7. For reimbursement of expenses, approved tour program and duly verified bill of taxi fare be submitted to the Manager Accounts.

Placed before the Authority for consideration.

Decision: *Approved as proposed in paragraph 3, 6 and 7 above.*

Meeting ended with a vote of thanks to the Chair.