

महाराष्ट्र जलसंपत्ती नियमन प्राधिकरण

(महाराष्ट्र जलसंपत्ती नियमन प्राधिकरण अधिनियम, २००५ चे कलम ३ अन्वये स्थापित वैधानिक प्राधिकरण)

Maharashtra Water Resources Regulatory Authority

(A Statutory Authority Established u/s 3 of Maharashtra Water Resources Regulatory Authority Act, 2005)

No.MWRRA/2019 /CR No.19/2019/485

Date: 17/06/2019


Sub: Report on Public Hearing conducted by MWRRA on January 21, 2019 at Nagpur regarding the difficulties in the planning and preparation of Detailed Project Report for the proposed drinking water supply schemes in the areas of Municipal Councils/Nagar panchayats of Nagpur Metropolitan Region Development Authority---

Ref : MWRRA letter No. MWRRA/2018/NMRDA/33 dated January 08, 2019

With reference to the above subject, Maharashtra Water Resources Regulator Authority, Mumbai conducted the Public hearing at the office of the Executive Director, Vidarbha Irrigation Development Corporation, Sinchan Seva Bhavan, Civil Lines, Nagpur on January 21, 2019.

The Report of Public hearing is prepared by MWRRA, Mumbai. Copy of the same is sent herewith for your information (by e mail) and also available in "News & Updates" section of the Authority's website <<http://www.mwrra.org>>

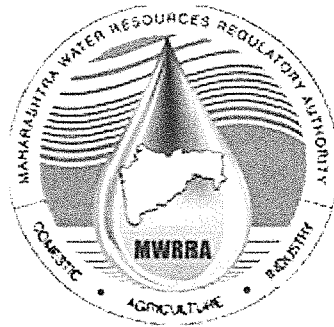
Encl. Report (on e mail)


(Rasik Chauhan)
Secretary

Copy to the:

- ✓ 1) The Executive Director, Vidarbha Irrigation Development Corporation, Sinchan Seva Bhavan, Civil Lines, Nagpur – 440 001;
- 2) The Chief Engineer, - Nagpur Region, Maharashtra Jeevan Pradhikarn, Building "A", Ground floor, Near C.P. Club, Civil lines, Nagpur – 440 001;
- 3) Collector, (Municipal Administrative Wing), Nagpur, Civil lines, Nagpur- 440 001;
- 4) The Chief Officer, Kalmeshwar- Bramhani Municipal Council, Taluka Kalmeshwar District Nagpur – 441 501.

Maharashtra Water Resources Regulatory Authority



**Report on Public Hearing conducted by MWRRA
on January 21, 2019 at Nagpur regarding the
difficulties in the planning and preparation of
Detailed Project Report for the proposed drinking
water supply schemes in the areas of
Municipal Councils/ Nagarpanchayats of
Nagpur Metropolitan Region Development Authority**

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List of Abbreviations	
CADA	Command Area Development Authority
CPCB	Central Pollution Control Board
CPHEEO	Central Public Health and Environmental Engineering Organization
CO	Chief Officer
DBWU	Domestic Bulk Water User
FFC	Fourteenth Finance Commission
GoI	Government of India
GoM	Government of Maharashtra
ha	hectare
IBWU	Industrial Bulk Water User
IS	Indian Standard
lpcd	Liters per capita per day
MC	Municipal Council
MIDC	Maharashtra Industrial Development Corporation
MJP	Maharashtra Jivan Pradhikaran
MMISF	Maharashtra Management of Irrigation System by Farmers
MPCB	Maharashtra Pollution Control Board
MWRRA	Maharashtra Water Resources Regulatory Authority
MoUD	Ministry of Urban Development, Government of India
NGO	Non Governmental Organization
NI	Non Irrigation
NMRDA	Nagpur Metropolitan Regional Development Authority
RBA	River Basin Agency
STP	Sewage Treatment Plant
UDD	Urban Development department
U.I.D.S.S.M.T.	Urban Infrastructure Development Scheme for Small & Medium Towns
ULB	Urban Local Body
VIDC	Vidarbha Irrigation Development Corporation
WC	Water Conservation
WRD	Water Resources Department

Report on Public Hearing

1.0 Background

The Maharashtra Water Resources Regulatory Authority (MWRRA) constituted under the MWRRA Act, 2005, is to exercise the powers conferred on, and to perform the functions and duties assigned to it, under the said Act and its subsequent amendments in 2011 and 2016. The prime object of the Act is to facilitate and ensure judicious, equitable and sustainable management, allocation and utilization of water resources.

As per the provisions of Section 11 (a) of the MWRRA (Amendment & Continuance) Act, 2011 mandates the MWRRA *“to determine the criteria for the distribution of Entitlements by the River Basin Agencies, within each Category of Use, on such terms and conditions as may be prescribed, after sectoral allocation is made under section 16A;”*.

Thus ensuring the equitable distribution without any discrimination is the object and the mandate of the Law. There can't be any discrimination on the basis of region or the place or the area / category of the local body as the need of water for every category has to be determined equitably depending upon the class of infrastructure and facilities available in such local bodies.

Further, Section 11 (q) of the MWRRA Act, 2005 mandates the MWRRA *“to promote efficient use of water and to minimize the wastage of water and to fix reasonable use criteria for each Category of Use;”*

Thus, ensuring the promotion of efficient use of water, to minimize the wastage of water and to fix reasonable use criteria for each category of use, the principle of equity need to be given prime importance in

order to ensure equitable distribution without any discrimination which is the object and the mandate of the Law. Therefore, while ensuring the promotion of efficient use of water, to minimize the wastage of water and to fix reasonable use criteria for each category of use, there can't be any discrimination on the basis of region or the place or the area / category of the local body as the need of water for every category has to be determined equitably depending upon the class of infrastructure and facilities available or planned / contemplated in such local bodies like piped water supply and infrastructure for sewage disposal etc. as mandated in the National Building Code, 2006.

The present case is arising out of the difficulties faced by the applicant local bodies in planning and preparing Detailed Project Report (DPR) for their proposed future drinking water projects in light of MWRRA's "*Criteria for distribution of surface water entitlements by River Basin Agencies for domestic & industrial uses*" issued on September 22, 2017. As per the Clause 6 of the said criteria, MWRRA has laid down the Criteria for Domestic Water Use. Sub-Clause 6.1 states the applicable per capita norms for entitlement to Domestic Bulk Water User. Sub-Clause 6.2 states the conditions to be observed by River Basin Agencies while distributing the entitlements. Further, Clause 12 of the said criteria states that in case of any difficulty in implementation of these criteria, the Domestic Bulk Water User / Industrial Bulk Water User / River Basin Agency may approach the Authority with specific Petition and the decision of the Authority shall be final. Accordingly, the applicant urban local Bodies have approached the Authority and as decided by the Authority, the present public hearing was conducted.

As per the said criteria, norms of water supply in Peri-urban area & Municipal Councils are as follows:

- Peri-urban Area - 70 lpcd
- Class "C" Municipal Council - 70 lpcd
- Class "B" Municipal Council - 100 lpcd
- Class "A" Municipal Council - 120 lpcd.

The above stated MWRRA's Criteria for domestic & industrial uses were decided after detailed Stakeholder Consultation.

Why the present Stakeholder Consultation?

MWRRA has received representations from Maharashtra Jivan Pradhikan (MJP), Collector - Nagpur, Water Resources Department - Nagpur and concerned Municipal Council regarding use of 135 lpcd water supply norms for the preparation of Detailed Project Report of the Municipal Councils / Nagarpanchayats in Nagpur Metropolitan Regional Development Authority (NMRDA) where closed pipe sewerage system with water supply schemes and sewage disposal are proposed and planned for their future needs upto period by 2050.

The requested norms by the different organizations are deviating from the norms stated in the said criteria. Hence to address the difficulties of various organizations and to know the views of the Organizations, Consumers, Farmers, Water User Associations, Field Experts, RBAs, the Authority decided to hold a stakeholder consultation by way of Public Hearing in order to decide water supply norms to be adopted for the preparation of Detailed Project Report of future water supply schemes in the areas of Municipal Councils / Nagarpanchayats in the Nagpur Metropolitan Region Development Authority.

2.0 Objective of the Stakeholder Consultation

The objectives of the stakeholder consultation were:

- i) To identify the concerns and expectations of the Urban Local Bodies in Nagpur Metropolitan Region Development Authority Area.
- ii) To solicit opinion of experts working in water supply sector.
- iii) To know the views of those involved in the planning, designing, execution and operation process.
- iv) To know whether
 - a) the fresh water supply norm of 135 lpcd is technically essential for the operation of closed pipe sewerage systems ?
 - b) the water supply norm are required taken at the rate of 135 lpcd in Municipal Councils / Nagarpanchayats in Nagpur Metropolitan Region Development Authority Area ?
- v) To ensure that the outcome that would be evolved shall be transparent, well-targeted and coherent with the other policies of the State Government so as to effectively plan the drinking water schemes alongwith necessary infrastructure of piped water supply as well as sewage disposal system.

3.0 Outline of Consultation Process

Though it is not mandatory to conduct any Public Hearing for the purpose, the Authority has adopted a participatory approach to tap the collective wisdom of various stakeholders. The Public Notice regarding the said stakeholder consultation was given in the local Newspaper "Lokmat", Nagpur Edition, on January 10, 2019. The Public Notice regarding the said Stakeholder Consultation alongwith the representations received from various Organizations, MWRRA's Criteria for Non-irrigation Uses were displayed on MWRRA's Website from January 08, 2019. The information regarding the said consultation was circulated to various stakeholders vide Authority's letter u/Nos. MWRRA/2018/NMRDA/33 dated January 08, 2019 and MWRRA/2018/NMRDA/50 dated January 10, 2019. Thereafter, stakeholder consultation meeting was held on January 21, 2019 at the office of the Vidarbha Irrigation Development Corporation, Nagpur. The last day for submission of representations from the stakeholders in writing or by email was February 5, 2019. However for giving ample opportunity to the public at large, the Authority found it prudent to wait upto 25-02-2019 and thereafter now this file is being processed.

4.0 Stakeholder Consultations Meeting

Consultation/Public hearing Meeting was convened on January 21, 2019 at the office of the Vidarbha Irrigation Development Corporation, Nagpur. List of the participants who attended the consultation meeting is annexed as **Annexure II**. The key issues addressed in the Public Notice were stated at the beginning of the meeting. The gist of issue-specific inputs received through written communications and during the deliberations in the meeting is summarized in the subsequent section of "Inputs received in the Consultation".

5.0 Response of the Stakeholders

The Authority received very good response from the stakeholders. Representatives of Urban Local Bodies, Planning Authorities, Non-Government Organizations, Representatives of the line departments of the State Government and implementing agencies participated in the consultation process. Some of the stakeholders contributed through written communication whereas others did the same by attending the targeted consultation session. The consultations were successful in drawing the active discussions, feedbacks and generating insights from stakeholders. The list of participants in the consultation meeting is enclosed as **Annexure II**. The list of stakeholders who offered comments in writing during the consultation or who submitted it later on to the Authority are enclosed as **Annexure III**.

6.0 Inputs received in the Consultation

6.1.1 Concerns of the Urban Local Bodies in NMRDA Area

- A. For the purpose of planning and preparing DPR, the recommended per capita minimum water supply levels for designing schemes as per National Building Code, 2006 and CPHEEO Manual on Water Supply and Treatment for Cities provided with piped water supply where sewerage system is existing / contemplated is 135 lpcd. It is recommended on the basis of BIS Standard which has been issued as per the provisions of statutory Central Act – Bureau of Indian Standards, Act and thus the standards specified by BIS shall be taken as Standards in India, though as per actual supply of water considering the availability in the specific region and the period, there may be any norms as may be adopted by State Government or any Authority or Agency or ULBs.
- B. It has been submitted in the hearing that Govt. of Maharashtra has started the scheme of “Maharashtra Suvarna Jayanti Nagarotthan Mahabhiyan” in the year 2010 for **all Class “D” Municipal Corporations, Municipal Councils, and Nagarpanchayats** vide G.R. No. नगरो-२०१४/प्र. क्र. ११९ /नवि-३३ दि. २१-०८-२०१४ for improving infrastructure facilities such as Water Supply, Sewage Disposal, etc. The long term planning for infrastructure facilities is to be done minimum for future 20 years. Due to weak financial conditions of such ULBs, State Government has decided following break up for the financial grants:

Sr. No.	Category of Urban Local Body	% Government's Contribution	% ULB's Contribution
1	Municipal Corporations -Class "D"	70	30
2	Municipal Councils - Class "A"	75	25
3	Municipal Councils - Class "B"	85	15
4	Municipal Councils - Class "C", Nagarpanchayats	90	10

In the said G.R., it is stated that the cities without Sewage Disposal Systems will be given preference for its implementation. **However, it is mandatory to have regular 135 lpcd water supply in these cities, without which the scheme shall not be approved.**

It has been specifically pointed out by the Chief Officer of Municipal Council of Kalmeshwar-Bramhani, a ULB in the NMRDA Area received grant of Rs. 20.76 lakhs for Sewage Treatment Plant in 2013 under then U.I.D.S.S.M.T. Scheme of Government of India. As the water supply is not as per the norm of 135 lpcd, the said scheme was not implemented and the grant was returned to the Government. Further, as the Sewage Treatment Plant is not constructed by Kalmeshwar-Bramhani Municipal Council, Water Resources Department is levying 100% penalty charge for non-provision of Sewage Treatment Plant. Thus

as the norms specified by this Authority has caused great hardship as per as planning is concerned and thus need to be clarified that for the purpose of planning and preparation of DPR the criteria should be 135 lpcd, though actual supply of water may be as per the availability or the norms as may be prevailing at the time of such supply from time to time.

C. It has also been submitted that the Fourteenth Finance Commission (FFC) is disbursing grants to Urban and Rural bodies for infrastructure development vide Central Government letter under No. 13(32)/FFC/FCD/2015-16, dated 8 October, 2015. The said grant is disbursed to Class "D" Municipal Corporations, All Municipal Councils and Nagarpanchayats in Urban area of Maharashtra vide G. R. No TFC/8015/C. No. 106/UD-4 dated 03-08-2015. The said grant is divided into two parts:

- a) Basic Grant for the period 2015-2020 (Rs. 9930.28 Crore). The criteria for distribution of Basic Grant are Population (90%) and Area (10%) of the ULBs.
- b) Performance Grant for the period 2016-2020 (Rs. 2482.57 Crore). The criteria for distribution of Performance Grant for ULBs consist of:

- i) Publication of Audited Accounts
- ii) Show of Increased Revenues
- iii) Measure and publish the Service Level Bench Marks of the Ministry of Urban Development related to basic urban services each year & make it publically available. One of the Service Level Bench Marks of the Ministry of Urban Development related to Water Supply Services is 135 lpcd supply of water, which is for the purpose of planning & preparing DPR.

D. In light of above, the participating representative of ULBs and MJP specifically pointed out towards the difficulties arising out of the water supply norms as per the Authority's Order dated September 22, 2017 in the matter of Criteria for Distribution of Surface Water Entitlements by River Basin Agencies for Domestic & Industrial Uses and the Authority's Order dated January 11, 2018 in the matter of Review and Revision of Bulk Water Rates for Domestic, Industrial & Agricultural Irrigation Use in Maharashtra State:

Sr. No.	Category	Norm (lpcd)
1	Rural Water Supply Schemes / Grampanchayats	55
2	Peri-urban area	70
3	1) Municipal Councils Class - C &	70

	Nagarpanchayats	
	2) Municipal Councils Class - B	100
	3) Municipal Councils Class - A	125
4	Municipal Corporations (Population less than 50 lakhs)	135
5	Metropolitan Centers & Municipal Corporations (Population equal or more than 50 lakhs)	150
6	Integrated Townships Projects / Townships in Hill Stations notified by Urban Development Department	90

E. If the above MWRRA water supply are used for the design of Water Supply and Sewage Schemes then the Municipal Councils (Class - A, B & C) & Nagarpanchayats in Maharashtra will not receive the State Grants under “Maharashtra Suvarna Jayanti Nagarotthan Mahabhiyan” as the Authority’s Criteria stipulates water supply norm of 70/100/125 lpcd for Municipal Councils/Nagarpanchayats against the stipulated mandatory condition of regular supply of 135 lpcd in the said circular. Thus, the planning and preparing DPR is practically impossible.

F. It is further pointed out that if the water supply is as per the above stated Authority’s norms then the Municipal Councils (Class - A, B & C) & Nagarpanchayats in Maharashtra may not receive the FFC full Performance Grants as the Authority’s Criteria stipulates water supply norm of 70/100/125 lpcd for Municipal

Councils/Nagarpanchayats against the stipulated Service Level Bench Mark of 135 lpcd supply of water by the Ministry of Urban Development, Government of India, there shall be great difficulty in planning and preparing DPR as well as the availability of the grants and the financial assistance from the institutions / Government.

G. It is humbly submitted by that all the Municipal Councils & Nagarpanchayats are not financially sound. Due to the Authority's current Water Supply Norms, they will be deprived of the much needed grants from the State Government under "Maharashtra Suvarna Jayanti Nagarotthan Mahabhiyan" as well as the FFC Performance Grants which are essential for the development of infrastructure facilities like Water Supply Schemes and Sewage Treatment Plants with Sewerage System.

H. The MWRRA water supply norms for Rural Water Supply Schemes are based on the considerations of the National Rural Drinking Water Program. On similar lines, the water supply norm for Urban Area shall be finalized considering service level benchmarks (i.e. 135 lpcd) fixed by the Ministry of Urban Development Department, Government of India.

6.1.2 Submissions and the expectations of the Urban Local Bodies in NMRDA Area:

There are proposals of piped water supply and sewerage system in the Urban Local Bodies in the NMRDA area. For the same, the

Municipal Councils (Class – A, B, C) / Nagarpanchayats in NMRDA area requested to have water supply norm of 135 lpcd which is mandatory for receiving “Maharashtra Suvarna Jayanti Nagarotthan Mahabhiyan” financial grants and FFC Performance Grants instead of MWRRA’s norm of 125/100/70 lpcd. Also, they requested to adopt recommended per capita water supply norm of 135 lpcd as stated in service level benchmark fixed by the Ministry of Urban Development Department, Government of India and as stated for designing schemes for cities provided with piped water supply where sewerage system is existing / contemplated as per CPHEEO Manual on Water Supply and Treatment.

6.2 Knowledge sharing with the Field Experts:

In this stakeholder consultation, Engineers from Maharashtra Jivan Pradhikaran and also Engineers from NGOs who are the experts in the field of domestic water supply and sanitation sector participated and shared their expertise.

6.3 Interaction with the Stakeholders:

Engineers from Maharashtra Jivan Pradhikaran, Water Resources Department of Maharashtra State and Heads of the Administration of Municipal Councils / Nagarpanchayats participated in this stakeholder consultation and expressed their views in planning, designing, execution and operation of water supply and sewerage schemes.

6.4 Detailed discussion on the requests made

- i. The recommended per capita maximum water supply levels for designing schemes as per NBC Code, 2006 and CPHEEO Manual on Water Supply and Treatment for Cities provided with piped water supply where sewerage system is existing / contemplated is 135 lpcd, as per as planning is concerned, though actual supply may be as per the availability or the norms as may be prevailing at the time of such supply from time to time.
- ii. Maharashtra Government has started the Grant Based Scheme of “Maharashtra Suvarna Jayanti Nagarotthan Mahabhiyan” in the year 2010 for all Class “D” Municipal Corporations, Municipal Councils, and Nagarpanchayats for improving infrastructure facilities such as Water Supply, Sewage Disposal, etc. stating that the cities without Sewage Disposal Systems will be given preference for its implementation. However, it is mandatory to have regular 135 lpcd water supply in these cities.
- iii. The Fourteenth Finance Commission (FFC) is disbursing Performance Grants for the period of 2016-2020 to Class “D” Municipal Corporations, All Municipal Councils and Nagarpanchayats in Urban area of Maharashtra for infrastructure development. One of the criteria for distribution of this Performance Grant is to measure and publish the Water Supply Service Level Bench-Mark as per the Ministry of Urban Development and the value of the said benchmark is 135 lpcd.

- iv. There are 719 villages in the NMRDA area. Their population in last Census of 2011 is 10 lakhs and is rapidly increasing and the area is 3556 sq km. **The underground drainage system and piped water supply is contemplated for this area by NMRDA.** The future planning for water supply scheme is done for 30 years. So the ULBs in the areas of NMRDA must plan to have piped water supply as well as sewage disposal system so as to synchronize with NMRDA water supply as well as overall sewage disposal network for entire area to avoid any problem in future.
- v. The various ULBs in NMRDA Area have submitted their proposal for 135 lpcd water supply with the proposal of underground drainage system and the proposal is being keenly pursued by the public representatives.
- vi. The interstate agreement is signed between Maharashtra and Madhya Pradesh Government for the Pench Project in 1964. Up till now Madhya Pradesh was not utilizing its share of water completely and hence Maharashtra was getting more water. As Madhya Pradesh has tapped water of its share, Maharashtra is getting less water as compared to earlier years. Due to the construction of Chaurai Dam in Madhya Pradesh, the yield of Pench Project in Maharashtra is already reduced. The response of Madhya Pradesh Government regarding the discussion on the 1964 Inter-State Agreement in the new scenario is not encouraging. There is need for revisiting the 1964 Agreement with Madhya Pradesh Government.

- vii. The breakup of existing water supply from Pench Complex is as follows:

Sr. No.	Description	Number/s	Total Supply (Mcum)
1	Grampanchayats	69	35.436
2	Nagarpanchayats, Municipal Councils	10	33.90
3	Nagpur Municipal Corporation	1	190
4	Peri-urban Area adjoining Nagpur	1	15
Total			274.336

- viii. Non-Irrigation (NI) water use of Pench Project is 278.437 Mcum i.e. 25.5%. Due to Chaurai Dam in Madhya Pradesh the water available in the Pench Project will be about 741 Mcum resulting NI water use of 37.58%. NI reservation is 58.20% in lower Wena, NI reservation is 53.36% in Wena and NI reservation is 22.5% in Kanholibara Project.
- ix. Currently 10 Nagarpanchayat with water supply at the rate of 70 lpcd, the reduction in irrigated area is 4117 ha. If the water is supplied to them at the rate of 135 lpcd as demanded, then probable reduction in irrigated area will be 7937 ha. For new reservations upgraded from 70 to 135 lpcd, the probable reduction in irrigated area will be increasing from 1005 ha to 1988 ha.

- x. The restoration charges due to reduction in irrigation area are to be compensated. As the Nagarpanchayats and Municipal Councils are not financially sound, restoration charges are waived by the State Government for Municipal Councils, and Nagarpanchayats vide State Government vide G. R. under No. संकीर्ण २०१३ / (४१५) / सिं. व्य. (धोरण) दि. १६-०८-२०१४.
- xi. The water sources available are limited. The Water Resources Projects are mainly planned for irrigation and are constructed by acquiring the farmers land. Due to rapid urbanization & industrialization, the domestic water requirement in urban area is increasing. Hence, more water is required to fulfill domestic water requirement. Due to increasing domestic water demand, the water available for Irrigation from these projects will be decreasing.
- xii. If the Water Supply Norms are increased from existing 70/100/125 lpcd for Municipal councils / Nagarpanchayats to 135 lpcd, then there will be reduction in irrigation area resulting in reduction in State Gross Domestic Product. This will affect rural economy and will add to hardship of farmers. The water requirements of farmers need to be addressed.
- xiii. For increased water demand, the ULBs shall develop their own sources or irrigation potential shall be reduced permanently.

- xiv. The Water User Associations are formed for irrigation as per the MMISF/MWRRA Act and the increase in water supply rate from 70 to 135 lpcd will violate their entitlements and their permission will be essential.
- xv. The per capita water use norm shall be decided on the basis of surface and groundwater available in that area. In reference to open defecation free policy of Government, if all the semi-urban and villages start demanding water supply at the rate of 135 lpcd , then most of the storages in water resources projects may result in reservation for non-irrigation. This may result in decrease in water available for irrigation resulting distress among the farmers. The conflicts of interest are being experienced.
- xvi. To fulfill the future water demand, water sources exclusively for domestic use can be planned in the basins where surplus water is available. In case of NMRDA, the surplus water is available on downstream of Gosikhurd Dam which may be used as a new source of water for the various ULBs in NMRDA Area.
- xvii. The water from exclusive source can be shared among all the Municipal Councils / Nagarpanchayats in the NMRDA area through water grid. The economics of water grid may be given thought off at the time of planning of the water supply scheme. The integrated water supply scheme for NMRDA area may also be thought of.

- xviii. The part of water demand may be fulfilled through groundwater if its quantity and quality (non-polluted) is assured. In case of Kalmeshwar, the groundwater is polluted and hence they have to depend on outside surface water source. Wherever possible, conjunctive use of surface water and groundwater alongwith the use of treated waste water and water available through Rain Water Harvesting shall be made for bridging the gap of water demand and water supply.
- xix. The increasing non-irrigation reservation is resulting in reduction of irrigation potential and hence the gap between Irrigation Potential created and actual irrigation increases.

7.0 Findings of the Authority from the Stakeholder Consultations

This stakeholder consultation was held to ascertain the views on the following points stated in the Public Notice and the respective findings of the Authority from it are as follows:

a) **Whether the fresh water supply norms of 135 lpcd are technically essential for the operation of closed pipe sewerage systems?**

- i) The NBC Code, 2006 and CPHEEO Manual on Water Supply and Treatment has made recommendations in its Section 2.2.8.3 which are as follows:

The Environmental Hygiene Committee suggested certain optimum service levels for communities based on population groups. In the code of Basic Requirements of Water Supply, Drainage and Sanitation (IS: 1172-1983) as well as National Building Code, a minimum of 135 lpcd has been recommended for all residences provided with full flushing system for excreta disposal. Though the Manual on Sewerage and Sewage Treatment recommends a supply of 150 lpcd wherever sewerage is existing / contemplated, with a view to conserve water, a minimum of 135 lpcd is now recommended.

- ii) Various Central and State Government financial grant based Schemes for development of basic infrastructure facilities like water supply and sanitation services in ULB Areas are linked to the service level bench marks evolved by the Ministry of

Urban Development (MoUD), Government of India. The draft service level benchmarks developed by the MoUD with the help of core group comprising of field experts were circulated among all States and key stakeholders. Based on the comments received, the service level benchmarks for various services were finalized by MoUD. The water supply norm in the service level benchmarks developed by the MoUD is 135 lpcd. In absence of water supply norm of 135 lpcd, all the Municipal Councils and Nagarpanchayats in Maharashtra will be deprived of necessary financial grants for the development of water supply and sanitation services and the absence of such basic services will lead to increased pollution of surface and ground water.

In view of above, it is essential to have water supply norm of 135 lpcd for the operation of closed pipe sewerage systems, for the purpose of planning and preparation of DPR.

- b) **Whether it is essential to remove the difficulties for the purpose of planning and preparing DPR by the ULBs for the drinking water supply norms @ 135 lpcd in Municipal Councils / Nagarpanchayats in Nagpur Metropolitan Region Development Authority Area considering the available water resources?**

For the reasons recorded at above point at a), it is essential to remove the difficulties for the purpose of planning and preparing DPR by the ULBs for the drinking water supply norms @ 135 lpcd in Municipal Councils / Nagarpanchayats in Nagpur Metropolitan

Region Development Authority Area considering the available water resources.

c) Whether the deficit in other Categories of Water Use can be met from the treated water?

i) The deficit in other Categories of Water Use can be met from the treated water substantially by the sewage disposal and the treatment to be planned by the concerned ULBs.

ii) If the water is supplied at current MWRRA water supply norm of 125/100/70 to Municipal Councils / Nagarpanchayats, if the Sewage disposal and the treatment Plant and Sewerage System is not planned, then untreated waste water cannot be used for further applications, thus the purpose will be defeated.

iii) If the water is supplied at the water supply norm of 135 lpcd to Municipal Councils / Nagarpanchayats and with the Sewage Treatment Plant and Sewerage System in place, the treated waste water amounting 80% of water supplied will be available i.e. most of the water supplied will be available for recycle and reuse. Thus the object of the Authority will be fulfilled to ensure the treatment and reuse of the water.

d) Estimated additional water requirement due to increased water supply norms in NMRDA Area

Table 2 - Estimated Additional Water Requirement

Tahsil	Population Census 2011*	Projected Population in 2019 @ 2% growth rate	Current Water Supply Norms (LPCD) for Peri-urban Area / Nagarpanchayats / Municipal Councils - Class C	Increased Water Supply Norms (LPCD)	Additional water required due to increased Norms in 2019 (Million cubic meter)	Existing Water Supply Source**
Mauda	139776	162141	70	135	3.847	Kanhan River
Kamptee	139620	161960	70	135	3.843	Kanhan River
Parshioni	143019	165903	70	135	3.936	Pench Project
Saoner (Part)	88161	102267	70	135	2.426	Kolar/ Kanhan River
Kalmeshwar (Part)	18207	21121	70	135	0.501	Pench RBC Itangoti
Hingna (Part)	235012	272614	70	135	6.468	Bhiwapur & Takalghat Project
Kuhi (Part)	4344	5040	70	135	0.120	Groundwater - Well
Umred (Part)	10824	12556	70	135	0.298	Pandharabodi & Makardhoka da Medium
Nagpur Rural (Part)	258209	299523	70	135	7.106	Vadgaon Dam
Total	1037172	1203125	-----	-----	28.544	-----

* Source Draft Development Plan of NMRDA and information received from Stakeholder,

** Nagpur District Booklet-2018 of Water Resources Department and information received from Stakeholders.

The estimated additional water requirement due to increased norms in NMRDA

Area is 28.544 Million cubic meter.

8.0 Transparency in decision making and Conformity of Outcome to existing State Policies

8.1 Transparency in decision making

This Stakeholder Consultation is held in a transparent way by involving all the targeted stakeholders. The Public Notice regarding the same was given in the newspaper as well as MWRRA's website and the written communication were made with all the concerned.

8.2 Conformity of Outcome to existing State Policies

The outcome of the Stakeholder Consultation shall be coherent with the following policies:

a) The water use priority as per the Maharashtra State Water Policy (2003) and as revised in 2011 is as follows:

- Domestic use for drinking, cooling, hygiene and sanitation needs including livestock,
- Agricultural (irrigation water) use,
- Industrial, commercial use and agro based industry use, hydro power,
- Environmental and recreation use,
- All other uses.

b) The State Government shall determine the sectoral allocation as per the Section 16A of the MWRRA (Amendment & Continuance) Act, 2011. Accordingly, State Government vide G. R. under No. संकीर्ण २०१५ / (४४/१५)/सिं. व्य. (धोरण) दि. १७-११-२०१६ has determined the Policy of Sectoral Allocation for the Domestic, Industrial and Irrigation with their corresponding values as 15, 10 and 75

percent. The hierarchy of authority to sanctions the water reservations for non-irrigation water use is also stated therein. Further, it is stated that while taking decisions, effect of such reservations on irrigation be considered.

- c) State Government vide G. R. under No. संकीर्ण २०१६/ प्र. क्र. २५९/ नवि-३३, दिनांक- ३० नोव्हेंबर २०१७ has determined the **Policy of Treatment, Recycling and Reuse of Waste Water in Urban Area**. The priority of reuse of waste water treated by the Local Urban Bodies stated therein is as follows:

- Providing treated water to the thermal power station.
- Providing treated water to industrial areas of Maharashtra Industrial Development Corporation.
- Providing treated water to the railway or other bulk buyers.
- Providing treated water for agricultural purposes.
- Providing treated water for non-potable components (as per the Maharashtra Pollution Control Board's standard)

The Authority, as per Section 12(5) of the MWRRA Act, 2005 is consciously supporting the said policy.

- d) As per the provision in Para 6.2 (iii) in **MWRRA's Criteria for Non-irrigation Use dated September 22, 2017** it is mandatory that the entitlement beyond sectoral allocation, shall only be given after approval of the competent authority as declared by the Government from time to time. However, in such instances, DBWU shall mandatorily compensate for the extra water (over and above the sectoral allocation) by making it available for agricultural use at location mutually decided by DBWU and RBA. Hence, for ULBs it is mandatory to have Sewage Disposal as well

as Treatment plants so as to make available the treated water for other permissible use to save fresh water.

9.0 Outcome of the Stakeholder Consultation

From this stakeholder consultation, it is observed that the difficulties faced by the ULBs in NMRDA areas in planning and implementation of various Central / State Government financial grant based Schemes of Water Supply and Sanitation Services are genuine.

Similar difficulties may be faced by the all the Municipal Councils and Nagarpanchayats in entire Maharashtra. In light of the various presentations, submissions and documents on the record, it is found that the expectations of various Municipal Councils and Nagarpanchayats in NMRDA are fair and reasonable and hence can be extended to all the ULBs in entire Maharashtra. In view of priorities stated in State Water Policy, Policy of Sectoral Allocation for the Domestic, Industrial and Irrigation, Policy of Treatment, Recycling and Reuse of Waste Water in Urban Area, MWRRA's Criteria for Non-irrigation Use dated September 22, 2017, following recommendations are made:

Recommendations:

- 1) The Note 1 given below the Table No 1 in the Authority's Order dated September 22, 2017 in the matter of Criteria for Distribution of Surface Water Entitlements by River Basin Agencies for Domestic & Industrial Uses shall be amended and appended as below:

Note 1: Urban population (in Category 2 to 5) where water is provided with public stand post, norm shall be restricted to 55 lpcd

for such population clusters and in areas where water is provided with piped water supply but without sewage system, norm shall be restricted to 70 lpcd

and in areas where water is provided with piped water supply where sewerage system is existing / contemplated, water supply norm for design of water supply scheme shall be restricted to 135 lpcd provided that the actual entitlement will be sanctioned as per the water supply norms specified in the above table till the successful commissioning of Sewage Treatment Plant of the ULB and thereafter the entitlement shall be restricted by the then prevailing norms or actual sewage treatment capacity in use, whichever is minimum.

- 2) The Urban Local Body **must** have concurrent plans for construction of Sewage Treatment Plants and Sewerage System along with Drinking Water Supply Schemes and the treated water as per the CPCB / MPCB standard shall be made available for other permissible use on priority basis.
- 3) The entitlement beyond sectoral allocation shall only be given after approval of the competent authority as declared by the Government from time to time. However, in such instances, DBWU shall mandatorily compensate for the extra water (over and above the sectoral allocation) by making it available for agricultural use at location mutually decided by DBWU and RBA.

- 4) The Authority shall also direct the concerned authorities not to make 135 lpcd norm mandatory for sanctioning of the grants. Instead, condition should be "the water supply is maintained minimum as per the prevailing norm of the State Water Resources Regulatory Authority and the minimum water supply bench mark can be achieved by conjunctive use of water that can be made available from ground water, rainwater, harvesting and water made available from recycling."

10.0 Points cropped up in the Public hearing for Issues to be taken up for further considerations by the Authority in the larger public interest:

- 1) Issue of project-wise sectoral allocation to be decided by the State Government, considering the existing and future reservations for domestic water supply being priority No. 1 from each project and its impact on irrigation and its restoration.
- 2) Issue of integrated water grid to be planned in the Areas like NMRDA so as to ensure supply of bulk water from such source to be tapped from the grid and water to be transported in a pipeline by such ULBs and Regional Authorities.
- 3) Issue of integrated piped sewage disposal and treatment plants to be implemented concurrently so as to make it economically viable and to plan use of treated water with proper volumetric measurement as well as protection of rivers / water streams from getting polluted.

11.0

Acknowledgement

Maharashtra Water Resources Regulatory Authority (MWRRA) would like to acknowledge the contribution made by the Municipal Councils, Maharashtra Jeevan Pradhikaran, Water Resources Department, Water Conservation Department, Nagpur Metropolitan Regional Development Authority, Non-Government Organizations, and Industry Representatives who took time to contribute through the consultation process. These inputs proved to be extremely useful in addressing the difficulties faced by the Urban Local Bodies in finalizing their Detailed Project Report for future water supply planning. MWRRA always looks forward for productive relationship with the stakeholders in policy formulation so as to make the water sector more responsive to the needs of the community. MWRRA is thankful to Vidarbha Irrigation Development Corporation, Nagpur for providing necessary facilities for conducting the said stakeholder consultation.

12.0

Annexure - I Public Notice

महाराष्ट्र जलसंपत्ती नियमन प्राधिकरण

९ वा मजला, जागतिक व्यापार केंद्र,

केंद्र-१, कफ परेड, मुंबई - ४०० ००५.

दूरध्वनी : (०२२) २२१५ २०१९

ई-मेल : mwrra@mwrra.in

संकेतस्थळ : www.mwrra.org

जनसुनावणीकरिता जाहीर सूचना

- १) महाराष्ट्र जलसंपत्ती नियमन प्राधिकरण (मजनिप्रा), मुंबईयांच्याव्दारे "नदीखोरेअभिकरणाव्दारे घरगुती आणि औद्योगिक वापरासाठी भूपृष्ठावरील पाण्याच्या हक्कदारीच्या वाटपाचे निकष", जलक्षेत्रातील तज्ञ तसेच अशासकीय संस्थांचे प्रतिनिधी यांचेशी सल्लामसलत करून, ते दिनांक सप्टेंबर २२, २०१७ रोजी जाहीर केले आहेत. सदर निकष प्राधिकरणाच्या संकेतस्थळावर उपलब्ध आहेत.
- २) प्राधिकरणाने नगरपालिका क्षेत्रात घरगुती पाणी वापरासाठी निश्चित केलेले प्रति दिवशी प्रति माणशी निकष पुढील प्रमाणे आहेत:
- "क" वर्ग नगरपालिका : ७० लिटर
- "ब" वर्ग नगरपालिका : १०० लिटर
- "अ" वर्ग नगरपालिका : १२५ लिटर
- त्याचप्रमाणे पेरी-अर्बन भागासाठीचा निकष ७० लिटर असा आहे.
- ३) नागपूर महानगर प्रदेश विकास प्राधिकरण क्षेत्रात अंतर्भूत कळमेश्वर-ब्राह्मणी, वानाडोंगरी, वाडी इ. नगरपालिका / नगरपरिषद क्षेत्रामध्ये बंदिस्त नलिका मलनिस्सारण व्यवस्थेसह पाणी पुरवठा योजना राबवणे प्रस्तावित असल्याने, अशा नगरपालिका/ नगरपरिषदासाठी पाणी पुरवठा निकष १३५ लिटर प्रति दिनी प्रति माणशी अनुज्ञेय करण्याबाबतचा प्रस्ताव मुख्य अभियंता, महाराष्ट्र जीवन प्राधिकरण, जिल्हाधिकारी, नागपूर, संबंधित नगरपरिषद कडून प्राप्त झाले आहेत.
- ४) या प्रस्तावाच्या अनुषंगाने खालील मुद्दे उपस्थित होतात:
- ४.१) बंदिस्त नलिका मलनिस्सारण व्यवस्था कार्यान्वयित करण्यासाठी १३५ लिटर प्रति माणशी प्रति दिनी इतक्या शुद्ध पाणी पुरवठ्याची (Fresh Water) गरज तांत्रिक दृष्ट्या आहे का ?
- ४.२) उपलब्ध पाणीसाठी विचारात घेता नागपूर महानगर प्रदेश विकास प्राधिकरण क्षेत्रातील नगरपालिका/ नगरपरिषदासाठी पाणी पुरवठ्याचे निकष १३५ लिटर प्रति माणशी प्रति दिनी पर्यंत वाढवावेत का ?
- ४.३) निकष वाढीमुळे अन्य प्रवर्गाचे पाणी वापरावर परिणाम होईल का ?
- ४.४) अन्य प्रवर्गाची पाण्याची तूट प्रक्रिया केलेल्या पाण्यातून भागविता येईल का ?
- ५) उपरोक्त प्रस्तावासंदर्भात प्राधिकरण सर्व संबंधित उपभोक्त्यांची / शेतकऱ्यांची / पाणी वापर संस्थांची तसेच या विषयातील तज्ञांची मते जाणून घेऊ इच्छिते. यासंदर्भात, दिनांक जानेवारी २९, २०१९ रोजी कार्यकारी संचालकांचे कार्यालय, विदर्भ पाटबंधारे विकास महामंडळ, सिंचन सेवा भवन, सिव्हील लाईन्स, नागपूर - ४४० ००१ येथे सकाळी ११.३० ते दुपारी ०३.३० पर्यंत जाहीर जनसुनावणी घेणार आहे. इच्छुकांनी जनसुनावणीस उपस्थित राहून आपली मते / हरकती नोंदवाव्यात. तदनंतर ईमेल किंवा स्पीड पोस्टद्वारे लिखित टिप्पण्या / निवेदने, फेब्रुवारी ०५, २०१९ पर्यंत वरील ईमेल आयडी / पत्त्यावर सादर करता येईल.
- ६) सदर जाहीर सूचना, प्राधिकरणाने निश्चित केलेले निकष, तसेच प्राधिकरणास प्राप्त प्रस्तावासंबंधीचा तपशील प्राधिकरणाच्या संकेतस्थळावर "News & Updates" विभागात उपलब्ध आहे.
- दिनांक : जानेवारी ०८, २०१९
- मुंबई

सचिव

मजनिप्रा

मोक्षमत

महाराष्ट्र जलसंपत्ती नियमन प्राधिकरण

९ वा मजला, जागतिक व्यापार केंद्र,

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दूरध्वनी : (०२२) २२१५२०१९

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- २) प्राधिकरणाने नगरपालिका क्षेत्रात घरगुती पाणी वापरासाठी निश्चित केलेले प्रती दिवशी प्रती माणसी निकष पुढीलप्रमाणे आहेत:-
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 - "ब" वर्ग नगरपालिका : १०० लिटर
 - "अ" वर्ग नगरपालिका : १२५ लिटरत्याचप्रमाणे पेरी-अर्बन भागासाठीचा निकष ७० लिटर असा आहे.
- ३) नागपूर महानगर प्रदेश विकास प्राधिकरण क्षेत्रात अंतर्भूत कळमेरवर-ब्राम्हणी, वानाडोंगरी, वाडी इ. नगरपालिका/नगरपरिषद क्षेत्रांमध्ये बंदिस्त नलिका मलनिस्सारण व्यवस्थेसह पाणीपुरवठा योजना राबवणे प्रस्तावित असल्याने, अशा नगरपालिका/नगरपरिषदासाठी पाणीपुरवठा निकष १३५ लिटर प्रति दिनी प्रती माणसी अनुज्ञेय करण्याबाबतचा प्रस्ताव मुख्य अभियंता, महाराष्ट्र जीवन प्राधिकरण, जिल्हाधिकारी, नागपूर, संबंधित नगरपरिषदकडून प्राप्त झाले आहेत.
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 - ४.२) उपलब्ध पाणीसाठे विचारात घेता नागपूर महानगर प्रदेश विकास प्राधिकरण क्षेत्रातील नगरपालिका/नगरपरिषदासाठी पाणीपुरवठ्याचे निकष १३५ लिटर प्रति माणसी प्रतिदिनीपर्यंत वाढवावेत का?
 - ४.३) निकष वाढीमुळे अन्य प्रवर्गाचे पाणी वापरावर परिणाम होईल का?
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- ६) सदर जाहीर सूचना प्राधिकरणाने निश्चित केलेले निकष, तसेच प्राधिकरणास प्राप्त प्रस्तावासंबंधीचा तपशील प्राधिकरणाच्या संकेतस्थळावर "News & Updates" विभागात उपलब्ध आहे.

दिनांक : जानेवारी ०८, २०१९

मुंबई

डी.जी.आय.पी.आर. २०१८/२०१९/५६६२

सचिव

मजनिप्रा

Nagpur Main

Page No. 9 Jan 10, 2019

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13.0

Annexure - II

List of the Participants who attended the Stakeholder Consultation Meeting on January 21, 2019			
Sr. No.	Name	Name of the Organization	Designation
1	Shri. V. J. Tiwari	MWRRA	Member (Law & Groundwater)
2	Dr. S. T. Sangle	MWRRA	Member (Economics)
3	Dr. S. A. Kulkarni	MWRRA	Secretary
4	Shri. P. R. Thote	MWRRA	Deputy Director
5	Shri. B. S. Swami	WRD, Nagpur	Chief Engineer
6	Shri. J. G. Gawali	CADA, WRD, Nagpur	Superintending Engineer & Administrator
7	Shri. S. G. Dhawale	WRD, Nagpur	Executive Engineer, NID(S)
8	Shri. P. N. Patil	WRD, Nagpur	Executive Engineer, IPD
9	Shri. D. S. Rajurkar	VIDC, Nagpur	Executive Engineer
10	Shri. S. S. Khobragade	WRD, Nagpur	Assistant Engineer-I, IPD
11	Shri. P. D. Pipare	WRD, Nagpur	Sectional Engineer
12	Shri. R. R. Banubakode	WC, Nagpur	Executive Engineer, SSI
13	Shri. Satish S. Sushir	MJP, Nagpur	Chief Engineer
14	Shri. S. S. Gawhankar	MJP, Nagpur	Executive Engineer
15	Shri. B. P. Meshram	NMRDA	Executive Engineer
16	Shri. H. A. Mahule	NMRDA	Consultant

Sr. No.	Name	Name of the Organization	Designation
17	Shri. Ramakant Dake	Mouda & Kamptee Municipal Council	Chief Officer
18	Shri. H. D. Takarkhede	Kalmeshwar - Bramhani Municipal Council	Chief Officer
19	Shri. P. D. Mankar	Wanadongri Municipal Council	Chief Officer
20	Shri. M. S. Desai	Butibori Municipal Council	Chief Officer
21	Shri. Nishant Dhurve	Saoner Municipal Council	Junior Engineer
22	Smt. Smruti M. Ikhar	Kalmeshwar Municipal Council	President
23	Shri. M. C. Ikhar	Kalmeshwar Municipal Council	
24	Shri. Parag	Kalmeshwar - Bramhani Municipal Council	PA
25	Shri. M.R. Yadav	M/s Suryalakshmi	MD
26	Shri. B. N. Thorat	M/s Suryalakshmi	MD
27	Shri. R. S. Mahale	Nagpur Mahanagar Sangh	President

14.0**Annexure - III**

List of the Stakeholders who gave written inputs during the Consultation		
Sr. No.	Designation	Name of the Organization
1	Chief Engineer	Water Resources Department, Nagpur
2	Chief Officer	Mouda Nagarpanchayat, Dist. Nagpur
3	Chief Officer	Kalmeshwar-Bramhani Municipal Council, Dist. Nagpur
4	Chief Officer	Wanadongari Municipal Council, Dist. Nagpur