



# महाराष्ट्र जलसंपत्ती नियामन प्राधिकरण

## Maharashtra Water Resources Regulatory Authority (MWRRA)

9th Floor, Centre-1, World Trade Centre, Cuffe Parade, Mumbai - 400 005. Tel.: (O) 2215 2019 Fax.: 2215 3765 E-mail.:mwrra@mwrra.org

File No. MWRRA/2017/Legal/ Case No. 8(2017)/580

Date : 10/10/2017

Order No. 11/2017

In the matter of

Petition filed by Adv. Ashish Jaiswal, Ramtek as regards Making  
Provision of Water for Irrigation Purpose by Curtailing the Use of Water  
from Pench Project Complex by the Nagpur Municipal Corporation -  
Case No.8 of 2017

Please find herewith a copy of MWRRA Order dated 10/10/2017 in the above matter.

Encl : As above

  
(Dr. Suresh Kulkarni)  
Secretary

Copy for information and necessary action to:

1. Adv. Ashish N. Jaiswal, R/o Rajaji Ward, Ramtek, Tal. Ramtek, Dist. Nagpur - 441106.
2. Commissioner, Nagpur Municipal Corporation, Mahapalika Marg, Near Vidhan Bhavan, Civil Lines, Nagpur - 440001.
3. SE & Administrator, CADA, Wainganga Nagar, Ajni, Nagpur - 440003.
4. Collector, Collector Office, Civil Lines, Nagpur - 440001.
5. Executive Engineer, Pench Irrigation Division, Wainganga Nagar, Ajni, Nagpur - 440003.
6. Executive Engineer, Water Works, Nagpur Municipal Corporation, Mahapalika Marg, Near Vidhan Bhavan, Civil Lines, Nagpur - 440001.





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Adv. Ashish Jaiswal,  
R/o Rajaji Ward, Ramtek,  
Tal.Ramtek, Dist.Nagpur

....Petitioner

Versus

1. Nagpur Municipal Corporation through Municipal Commissioner
2. Collector, Nagpur
3. Project Officer, Pench Irrigation Management, Nagpur

....Respondents

## Interim Order

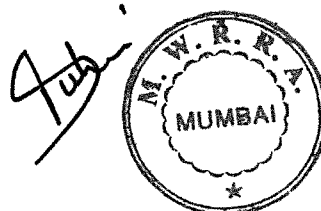
Coram : K.P.Bakshi, Chairman,  
V.M.Kulkarni, Member, (W. R. Engineering),

Date : October 10, 2017

Adv.Ashish Jaiswal, Ramtek (Dist. Nagpur) filed a Petition before the MWRRA on September19, 2017 seeking relief by way of distribution of water available in Pench Project Complex for catering need of water for irrigation in the command of Pench.

1. The prayers in the Petition in substance, are :

- a) To grant relief by determining the requirement of water by Nagpur city from September 2017 to July 15, 2018 in accordance with current population and



fixing norm of water for supplying to Nagpur Municipal Corporation (NMC) from all sources.

- b) To grant relief by directing NMC to utilize available water from all sources whereupon the Authority may determine the exact quantum of water NMC would be entitled from the Pench Project.
- c) To grant relief by directing the NMC to conduct water audit by the NMC.
- d) To grant relief by declaring and holding the reservation of 78 MCM water in favour of NMC is illegal and thereby cancels the said reservation.
- e) To direct NMC to construct dams of its own for utilization of water for citizens of Nagpur city.
- f) To direct the remaining water from Pench Project for utilization and reserving for the agriculture.
- g) To curtail the norm of 150 LPCD to 100 LPCD for NMC on account of shortage of water.

2. The first hearing was held on October 4, 2017 to which following were present:

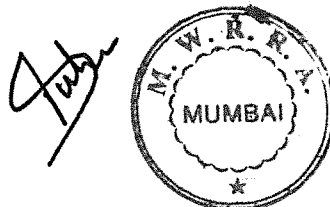
- |                      |  |
|----------------------|--|
| Adv. Ashish Jaiswal  | — The Petitioner pleaded in person.  |
| Shri. J.B. Turkhede  | — The EE, Pench Irrigation Division, Nagpur being in-charge Project Officer of the Pench Irrigation Management, Nagpur appeared himself. |
| Shri. Deepak Chitnis | — Dy. Engg, Nagpur represented the Municipal Commissioner, Nagpur.   |
| Collector, Nagpur    | — Respondent in this matter, neither appeared himself nor made any arrangement for representing him.                                     |

However, email from his office dated October 3, 2017 was received on the date of hearing extending request to grant two weeks time for submitting his say.

3. Pleadings by Parties:

3.1 Adv. Ashish Jaiswal (Petitioner) pleaded about the way in which water consumption on the part of NMC is entailed. The demand for water is made by adopting higher norms for domestic consumption than the standard ones. This resulted in consuming two-three times water as compared to standard consumption norms. Moreover, NMC has got additional reservation of 78 MCM water subjected to condition that NMC shall pay for restoration of irrigation that is required to be curtailed. It amounts to Rs.84.45 crore. The NMC has so far not paid the charges to the WRD. Hence, additional reservation of NMC is illegal.

The Nagpur city gets one-third of its water requirement from the Kanhan River and two-third from the Pench Project. Due to deficient storage position in Pench



Project Complex during the year no water was supplied to Kharif irrigation. However, no cut is applied to the water requirement of NMC.

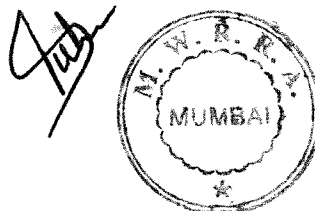
3.2 Shri. Deepak Chitnis (Dy. Engineer, NMC) submitted that the present Nagpur City Population is 28 lakh. The city gets water from Pench Project Complex (190 MCM) and Kanhan Water Works i.e. 250 MCM in all. According to him the NMC had conducted water audit in 2006. The present non-revenue water (NRW) is 50% against that of 65% earlier. This was made possible due to laying the closed pipeline from Navegaon Khairi to the city. It is now proposed to reduce the NRW losses to 25% by the year 2022. The 24 X 7 water supply project on PPP basis is being executed to reduce the losses. He also made clear that, as of now, there is no proposal of constructing the proposed Rahari, Kochi and Jamghat projects by NMC. All alternatives are at preliminary study stage.

3.3 Shri. J. B .Turkhede (EE, PID, Nagpur) informed the Authority that the present storage available in Pench Project Complex is 43%. Presently, one irrigation rotation is in progress. The rainfall during the monsoon of 2017 is lean. Interception of runoff due to Chowrahi Dam in Madhya Pradesh territory has further adversely affected storage in Pench Project Complex.

#### 4. Directions

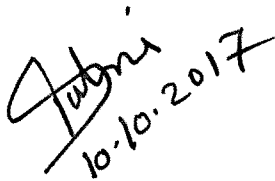
Authority has observed that the water consumption of NMC is far more than the standard norms. Analyzing the petition & inputs of preliminary round of the pleadings of the representatives of both the parties, the MWRRRA deems it necessary to issue following interim directions in view of water deficit in the Pench Project Complex and redressing the hardships to the Petitioner;

1. The NMC shall submit its water budget to the Vidarbha Irrigation Development Corporation, Nagpur (VIDC) before October 15, 2017 on the basis of Criteria and the conditions laid down in the Criteria for Distribution of Surface Water Entitlements by River Basin Agencies for Domestic and Industrial Uses (Criteria) brought out by the MWRRRA in September 2017. NMC shall consider water that can be made available from alternative surface and groundwater sources to arrive at its net water requirement from the Pench Project Complex. NMC shall also consider present population and permitted unaccounted for water for water budgeting.
2. VIDC after due scrutiny and ensuring that all possible alternatives have been tapped by the NMC in its water budget shall sanction the entitlement from the Pench Project Complex on the basis of Criteria laid down by the Authority.



3. Based on the storage position of reservoirs as on October 15, the VIDC shall grant allocations for domestic and industrial bulk water uses for the year 2017-18 as per Clause 8 of the Criteria.
4. Considering the water deficit in the Pench Project Complex, the available water needs to be used efficiently and judiciously, minimizing the wastage by all water use sectors.
5. Irrigation rotation shall be planned within quota of water for agricultural sector in consultation with the project level Water User Association. In doing so, sufficient carry over shall be kept reserved in anticipation of the late outbreak of monsoon in the next year.
6. Collector - Nagpur's request for granting two weeks time for submitting their say is granted. The NMC, Collector - Nagpur and EE, PID, Nagpur shall file their affidavits before the Authority by October 23, 2017 serving copies of it to the Petitioner and other Respondents before the next hearing.
7. Pench Project Authorities shall exercise strict supervisory control to ensure efficient use of water and avoid wastage while water is released for irrigation.
8. The NMC should get the water audit done by the Chief Auditor, Water & Irrigation, Maharashtra State, Aurangabad on priority as the NRW is abnormally high.

The next hearing in the matter will be held on October 25, 2017 at 12:00 hrs. during which senior officers viz. Executive Engineer, Water Works, NMC and SE & Admin., CADA, Nagpur will remain present.

  
10-10-2017

(V. M. Kulkarni)  
Member (W. R. Engineering)

  
10/10

(K. P. Bakshi)  
Chairman

