

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
(SOUTHERN ZONE BENCH, CHENNAI)**

Appeal No: 11 of 2023

In the matter of:

Fishing Boat Owners Association

-----Appellant

-VS-

Kerala Coastal Zone Management Authority
and Ors.

----Respondent(s)

**STATEMENT OF FACTS FILED BY THE SECRETARY, PUBLIC WORKS
DEPARTMENT/2ND RESPONDENT**

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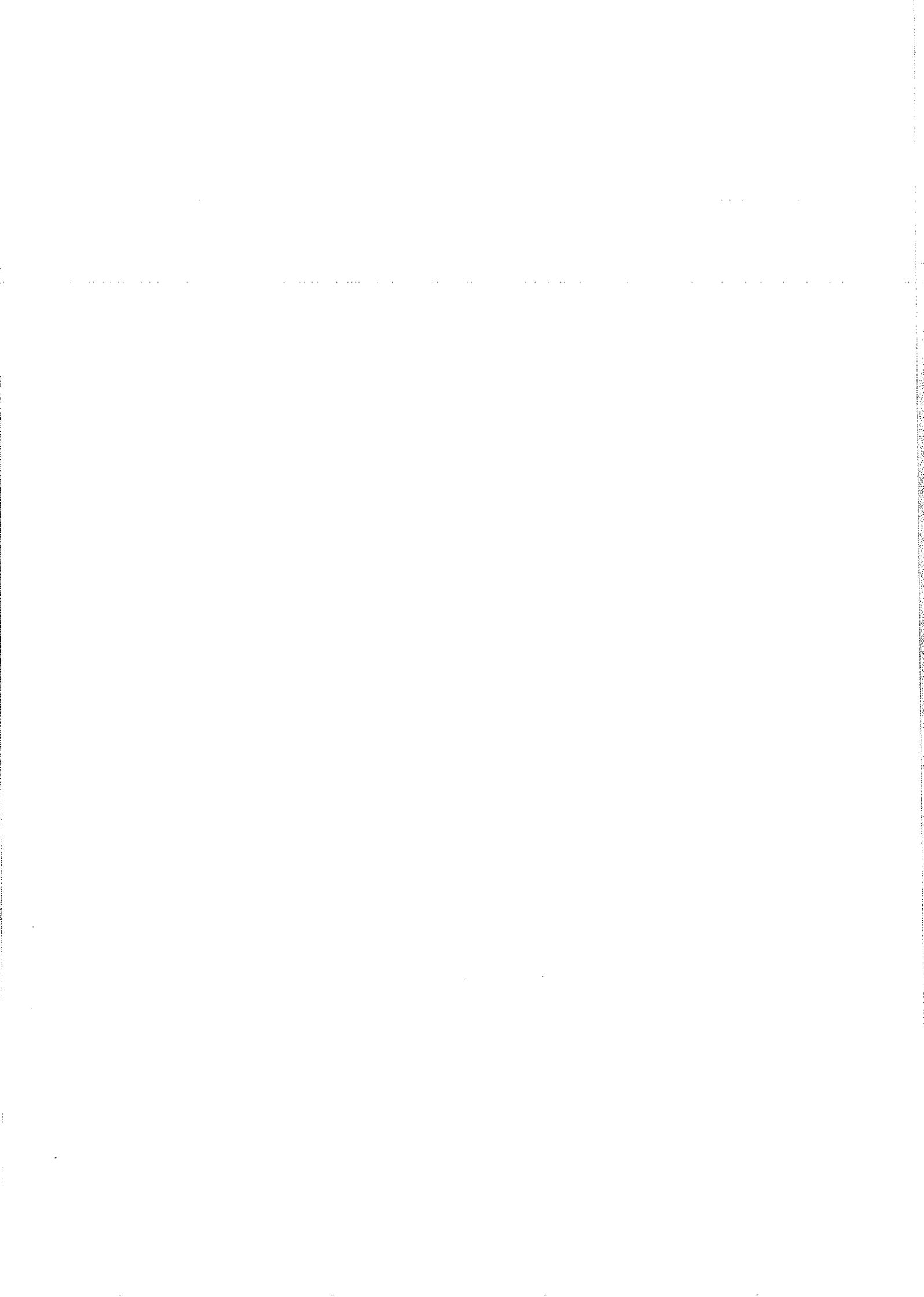
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Dated at Chennai on this the 30th day of October, 2023.

for G. Y. K. 30/10/23

M/s. E.K.KUMARESAN

Standing Counsel for State Government of Kerala - NGT(SZ) Chennai Bench



(1)



STATEMENT OF FACTS

REPLY TO STATEMENT OF FACTS & GROUNDS FOR AZHIKODE-MUNAMBAM BRIDGE (National Tribunal sitting at Chennai) (Appeal No. 11/2023)

Statement of Facts

1. No remarks.
2. No remarks.
3. No remarks.
4. No remarks.
5. No remarks.
6. No remarks.
7. No remarks.
8. No remarks.
9. No remarks.
10. It is submitted that construction of Bridge across the port waters will not be affecting the berthing area. Construction of Bridge across the port waters will not be an obstruction or hindrance to the navigation of all vessels, ships and boats of size to the berthing area, since it is complying the IWAI & Port Specification only.

The matter of necessary clearance for the project was placed in the 128th meeting of KCZMA held on 27.05.2023 and the project proponent was also invited for a detailed

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presentation before the authority. Accordingly the Project Proponent made a detailed presentation in the meeting and the authority approved the proposal for clearance for the project subject to the following conditions:

1. Land reclamation is strictly prohibited;
 2. The flow of tidal influenced water body shall not be disturbed or altered;
 3. The fishing activity and movement of fishing boats shall not be disturbed/affected due to construction activity; the impacts should be monitored and addressed.
 4. No construction waste shall be dumped/discharged in the CRZ area.
11. Kodungallur Port is about 40 km north of Cochin port. It is a riverline port in the mouth of river Periyar. The Southern bank is Munamabam which is in Ernakulam District and Northern Bank is Azhikode Which is in Thrissur District. Both Munambam and Azhikode are accessible from the NH-66. Munambam kayal connect Azhikode in Kaipamanagalam LAC in Thrissur District and Munambam in Vyppin LAC in Ernakulam District. Munamabam is an important place in Vyppinkara Island which is connected to Ernakulam through Gosree Bridge.
12. It is submitted that Azhikode - Munambam Bridge is proposed to be constructed across Munambam kayal to connect Azhikode in Kaipamanagalam LAC in Thrissur District and Munambam in Vyppin LAC in Ernakulam District. Munamabam is an important place in Vyppinkara Island which is connected to Ernakulam through Gosree Bridge. The Missing Link from Vyppin to Kodungallur is now felt an absolute necessity since Gosree Bridge is opened to traffic and Vallarpadam Container Terminal was

BIJU. K IAS
PEN : 325228
Secretary to Government
Public Works Department
Govt. Secretariat
Thiruvananthapuram



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functioning in its commercial operation. This will ease the traffic congestion in NH 66 which is now having high traffic volume. By the Construction of Proposed Bridge, the traffic congestion in NH-66 will be reduced substancialy. There will be considerable savings in time and distance for the transportation of goods from Vallarpadam. Further, the prosed bridge is a part of the prestigious project , Coatsal Highway.

13,14&15. The bridge proposed to be constructed by the PWD comes under the Kodungallur Port area. The notified name of the port is Kodungallur. The area where Kodungallur port situates was known as Muzris also. Kodungallur Port is about 40 km north of Cochin port. It is a riverline port in the mouth of river Periyar. The Southern bank is Munamabam which is in Ernakulam District and Northern Bank is Azhikode Which is in Thrissur District. Both Munambam and Azhokode are accessible from the NH-66. Munambam kayal to connect Azhikode in Kaipamanagalam LAC in Thrissur District And Munambam in Vyppin LAC in Ernakulam District. Munamabam is an important place in Vyppinkara Island which is connected to Ernakulam through Gosree Bridge. The small country town of Kodungallur is situated 35 kilometers south of Thrissur, was known to the Greeks as Muziris and is a place immersed in rich history.

16. It is submitted that the proposal to explore the possibility of constructing a Under sea Tunnel or Elevated Highway is in between the port waters between Fort Kochi and Vyppin. The proposed bridge Azhikode - Munambam is across the Periyar River. More over the bridge design is based on IWAI and Port norms and is having a vertical clearance of 12 m . The proposed bridge will not affect the movement of vessels. At present, Jankar service is used across the Munambam Kayal. The Azhikode -Muziris Jankar service has got disrupted many times. A huge amount is required for the Jankar repairing. The people of the locality face difficulties to cross the kayal when the Jankar gets under repair. The Proposed Bridge will solve the issue of connectivity between Munambam in Ernakulam District and Azhikode in Thrissur District. The new link will be useful for the people of northern Kerala and they can have an easy access to reach Kochi city making use of this proposed

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Public Works Department
Govt. Secretariat
Thiruvananthapuram

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Azhikode-Munambam Bridge through Vypin - Pallipuram State Highway and new coastal road. Further, it will be a part of the prestigious Coastal highway. This proposed new bridge will usher the tourist industry to boom and this will be the shortest route connecting the famous beaches such as Cherai and Azhikode and will connect important pilgrim centres also.

17,18 & 19. In case of Azhikode - Munambam Bridge there is no need of constructing an under water tunnel . For short distances as in the cases of Munamabam-Azhikode, bridges are more economical than under water Tunnels. The DPR of the proposed Bridge is prepared after conducting the detailed investigation. Construction of the proposed bridge will not be an obstruction or hindrance to the navigation of all vessels since the proposed bridge is having suitable vertical clearance / span length.

20,21&22. It is submitted that construction of Bridge across the port waters will not be affecting the berthing area. Construction of Bridge across the port waters will not be an obstruction or hindrance to the navigation of all vessels, ships and boats etc , since it is complying the IWAI & Port Specification only. Thus the height of 12 meter provided at the central span is from the maximum flood level (MFL) of the River for smooth passage of river sea vessels. Clearances from the Director of Ports vide Ref. C1-1647/2018 Dated 13.04.2018, the bridge is connecting Kodungallur River sea terminal and IWAI Kottapuram Terminal and the construction of the bridge will not affect the vessel navigation of newly constructing river sea terminal at Kodungallur. Dredging cost has also been earmarked in the estimate as per the direction received from the port authorities. It is also informed that the construction can be carried out as per the rules and regulations of National Water Authority.

23. Azhikode-Munambam Bridge is proposed to be constructed across Munambam Kayal to connect Azhikode, Kaipamangalam LAC in Thrissur District and Munambam, Vypin LAC in Ernakulam District .Presently many students, patients, employees, etc. depend Jankar service which acts the only means of transportation in Munambam Kayal. Many

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PEN : 325228
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Public Works Department
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times the movement of the people as well as transportation of goods hindered due to the frequent disruption of Jankar service. So construction of Azhikode - Munambam Bridge is the only solution.

Coastal highway is proposed continuously along the coastal belt of Kerala extending from Thiruvananthapuram to Kasaragod. But the missing link was at Munambam in Ernakulam District and Azhikode in Thrissur District due to Munambam Kayal. It was decided to include Azhikode - Munambam bridge under consideration in proposed coastal highway development, with the specification of Coastal Highway. Hence the Azhikode - Munambam bridge is now a part of the prestigious Coastal Highway .

Kodungallur Port is about 40 km north of Cochin port. It is a riverline port in the mouth of river Periyar. The Southern bank is Munambam which is in Ernakulam District and Northern Bank is Azhikode which is in Thrissur District. Both Munambam and Azhikode are accessible from the state highway. Munambam Kayal to connect Azhikode in Kaipamanagalam LAC in Thrissur District and Munambam in Vyppin LAC in Ernakulam District. Munambam is an important place in Vypinkara Island which is connected to Ernakulam through Gosree Bridge. The small country town of Kodungallur is situated 35 kilometers south of Thrissur, was known to the Greeks as Muziris and is a place immersed in rich history. It is submitted that construction of Bridge across the port waters will not be affecting the berthing area. Construction of Bridge across the port waters will not be an obstruction or hindrance to the navigation of all vessels, ships and boats of size to the berthing area, since it is complying the IWAI & Port Specification only. Thus the height of 12 meter provided at the central span is from the maximum flood level (MFL) of the River for smooth passage of river sea vessels. Clearances from the Director of Ports vide Ref. C1-1647/2018 Dated 13.04.2018, the bridge is connecting Kodungallur River sea terminal and IWAI Kottapuram Terminal and the construction of the bridge will not affect the vessel navigation of newly constructing river sea terminal at Kodungallur. Dredging provision is also earmarked in the estimate as per the direction received from the port. Dredging cost has

BIJU. K. IRS
PEN : 325228
Secretary to Government
Public Works Department
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also been earmarked in the estimate as per the direction received from the port authorities

24.As per the clearances from the Director of Ports , the bridge is connecting Kodungallur River sea terminal and IWAI Kottapuram Terminal and the construction of the bridge will not affect the vessel navigation of newly constructing river sea terminal at Kodungallur. Dredging cost has also been earmarked in the estimate as per the direction received from the port authorities. NOC for the Bridge was issued considering the clearance as per the IWAI norms as suggested by the Director of Ports. The Horizontal Clearance of 45 m and Vertical clearance of 12 m from Maximum Flood Level . Approval from KCZMA received (Kerala Costal Zone management Authority) Vide Ref No. 2179/A1/2021/KCZMA ,Thiruvananthapuram Dated 08/06/2022.

25.It is submitted that construction of Bridge across the port waters will not be affecting the berthing area. Construction of Bridge across the port waters will not be an obstruction or hindrance to the navigation of all vessels, ships and boats of size to the berthing area,since it is complying the IWAI & Port Specification only. Thus the height of 12 meter provided at the central span is from the maximum flood level (MFL) of the River for smooth passage of river sea vessels. In addition to this dredging cost has also been earmarked in the estimate as per the direction received from the port authorities.

26,27,28&29. The construction will be carried out as per IWAI norms and the conditions stipulated in the NOC. The Navigational path are decided through the centre of the Bridge and horizontal and vertical clearance are accorded as per the specification of IWAI Authorities. The Horizontal and vertical clearances as per the latest design are 45 m and 12 m respectively as per the specification of IWAI and Port authorities. The Director, IWAI, Kochi has granted NOC for the construction of Azhikode Munambam Bridge across National Water ways -3, Vide Letter No. IWAI/COCH/12(2)/2018-19/452 dated 06.10.2020 and the Director of Ports on 13.04.2018 Vide Ref. C1-1647/2018 suggested to

BIJU. K IAS
PEN : 325228^k
Secretary to Government
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recommend NOC for the channel clearance as per IWAI Norms.

30,31 &32..No remarks.

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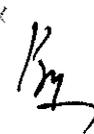
1. KCZMA approved the proposal subject to the following conditions:

1. Land reclamation is strictly prohibited;
2. The flow of tidal influenced water body shall not be disturbed or altered;
3. The fishing activity and movement of fishing boats shall not be disturbed/affected due to construction activity; the impacts should be monitored and addressed.
4. No construction waste shall be dumped/discharged in the CRZ area.

34.Counter Affidavit filed by KRFB.

35. It is submitted that construction of Bridge across the port waters will not be affecting the berthing area. Construction of Bridge across the port waters will not be an obstruction or hindrance to the navigation of all vessels, ships and boats of size to the berthing area, since it is complying the IWAI & Port Specification only. Thus the height of 12 meter provided at the central span is from the maximum flood level (MFL) of the River for smooth passage of river sea vessels. In addition to this dredging cost has also been earmarked in the estimate as per the direction received from the port authorities. Approval from KCZMA received (Kerala Coastal Zone management Authority) Vide Ref No. 2179/A1/2021/KCZMA, Thiruvananthapuram Dated 08/06/2022. The construction will be carried out as per IWAI norms and the conditions stipulated in the NOC. The Navigational path are decided through the centre of the Bridge and horizontal and vertical clearance are accorded as

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Public Works Department
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per the specification of IWAI Authorities. The Horizontal and vertical clearances as per the latest design are 45 m and 12 m respectively as per the specification of IWAI and Port authorities.

36,37,38,39,40&42. Approval from KCZMA received (Kerala Costal Zone management Authority) Vide Ref No. 2179/A1/2021/KCZMA ,Thiruvananthapuram Dated 08/06/2022.

41.It is submitted that construction of Bridge across the port waters will not be affecting the berthing area. Construction of Bridge across the port waters will not be an obstruction or hindrance to the navigation of all vessels, ships and boats of size to the berthing area,since it is complying the IWAI & Port Specification only. Thus the height of 12 meter provided at the central span is from the maximum flood level (MFL) of the River for smooth passage of river sea vessels. In addition to this dredging cost has also been earmarked in the estimate as per the direction received from the port authorities. The construction will be carried out as per IWAI norms and the conditions stipulated in the NOC. The Navigational path are decided through the centre of the Bridge and horizontal and vertical clearance are accorded as per the specification of IWAI Authorities. The Horizontal and vertical clearances as per the latest design are 45 m and 12 m respectively as per the specification of IWAI and Port authorities.

Reply to Grounds

A,B,C&D: Approval from KCZMA received (Kerala Costal Zone management Authority) Vide Ref No. 2179/A1/2021/KCZMA ,Thiruvananthapuram Dated 08/06/2022.

- e. It is submitted that construction of Bridge across the port waters will not be affecting the berthing area. Construction of Bridge across the port waters will not be an obstruction or hindrance to the navigation of all vessels, ships and boats of size to the berthing area, since it is complying the IWAI & Port Specification only. Thus the height of 12 meter provided at the central span is from the maximum flood

BIJU. K IAS
PEN : 325228
Secretary to Government
Public Works Department
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level (MFL) of the River for smooth passage of river sea vessels. In addition to this dredging cost has also been earmarked in the estimate as per the direction received from the port authorities. The construction will be carried out as per IWAI norms and the conditions stipulated in the NOC. The Navigational path are decided through the centre of the Bridge and horizontal and vertical clearance are accorded as per the specification of IWAI Authorities. The Horizontal and vertical clearances as per the latest design are 45 m and 12 m respectively as per the specification of IWAI and Port authorities.

- f. Approval from KCZMA received (Kerala Costal Zone management Authority) Vide Ref No. 2179/A1/2021/KCZMA ,Thiruvananthapuram Dated 08/06/2022.
- g. Approval from KCZMA received (Kerala Costal Zone management Authority) Vide Ref No. 2179/A1/2021/KCZMA , Thiruvananthapuram Dated 08/06/2022.
- h. It is submitted that construction of Bridge across the port waters will not be affecting the berthing area. Construction of Bridge across the port waters will not be an obstruction or hindrance to the navigation of all vessels, ships and boats of size to the berthing area, since it is complying the IWAI & Port Specification only. Thus the height of 12 meter provided at the central span is from the maximum flood level (MFL) of the River for smooth passage of river sea vessels. In addition to this dredging cost has also been earmarked in the estimate as per the direction received from the port authorities. The construction will be carried out as per IWAI norms and the conditions stipulated in the NOC. The Navigational path are decided through the centre of the Bridge and horizontal and vertical clearance are accorded as per the specification of IWAI Authorities. The Horizontal and vertical clearances as per the latest design are 45 m and 12 m respectively as per the specification of IWAI and Port authorities. Approval from KCZMA also received (Kerala Costal

BIJU. K IAS
PEN : 325228
Secretary to Government
Public Works Department
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Zone management Authority) Vide Ref No. 2179/A1/2021/KCZMA , Thiruvananthapuram Dated 08/06/2022.

- i. Approval from KCZMA received (Kerala Costal Zone management Authority) Vide Ref No. 2179/A1/2021/KCZMA , Thiruvananthapuram Dated 08/06/2022.
- j. The NOC has been received from Director of Ports vide Ref. C1-1647/2018 Dated 13.04.2018 and dredging also earmarked in the estimate as per the direction received from the port. Construction of Bridge across the port waters will not be an obstruction or hindrance to the navigation of all vessels, ships and boats of size to the berthing area, since it is complying the IWAI & Port Specification only. Thus the height of 12 meter provided at the central span is from the maximum flood level (MFL) of the River for smooth passage of river sea vessels. In addition to this dredging cost has also been earmarked in the estimate as per the direction received from the port authorities. The Horizontal and vertical clearances as per the latest design are 45 m and 12 m respectively as per the specification of IWAI and Port authorities.
- k. The NOC has been received from Director of Ports vide Ref. C1-1647/2018 Dated 13.04.2018 and dredging also earmarked in the estimate as per the direction received from the port. Construction of Bridge across the port waters will not be an obstruction or hindrance to the navigation of all vessels, ships and boats of size to the berthing area, since it is complying the IWAI & Port Specification only. Thus the height of 12 meter provided at the central span is from the maximum flood level (MFL) of the River for smooth passage of river sea vessels. In addition to this dredging cost has also been earmarked in the estimate as per the direction received from the port authorities. The Horizontal and vertical clearances as per the latest design are 45 m and 12 m respectively as per the specification of IWAI and Port authorities.

The NOC has been received from Director of Ports vide Ref. C1

BIJU. K IAS ✕
PEN : 325228
Secretary to Government
Public Works Department
Govt. Secretariat
Thiruvananthapuram





- L. The NOC has been received from Director of Ports vide Ref. CI-1647/2018 Dated 13.04.2018 and dredging also earmarked in the estimate as per the direction received from the port. Construction of Bridge across the port waters will not be an obstruction or hindrance to the navigation of all vessels, ships and boats of size to the berthing area, since it is complying the IWAI & Port Specification only. Thus the height of 12 meter provided at the central span is from the maximum flood level (MFL) of the River for smooth passage of river sea vessels. In addition to this dredging cost has also been earmarked in the estimate as per the direction received from the port authorities.
- M. The NOC has been received from Director of Ports vide Ref. CI-1647/2018 Dated 13.04.2018 and dredging also earmarked in the estimate as per the direction received from the port. Construction of Bridge across the port waters will not be an obstruction or hindrance to the navigation of all vessels, ships and boats of size to the berthing area, since it is complying the IWAI & Port Specification only. Thus the height of 12 meter provided at the central span is from the maximum flood level (MFL) of the River for smooth passage of river sea vessels. In addition to this dredging cost has also been earmarked in the estimate as per the direction received from the port authorities.
- N. In case of Azhikode Munambam Bridge there is no need of under sea tunnel as of the cost of construction and maintenance of safety requirements is very high as compared to an elevated highway. Also the construction duration is very high and needs advanced and specialised construction equipment. Hence for short distances bridges are more economical than under sea Tunnels. The DPR of the proposed Bridge is prepared after conducting the detailed investigation.

BLU. K IAS
 PIN : 325228
 Secretary to Government
 Public Works Department
 Govt. Secretariat
 Thiruvananthapuram

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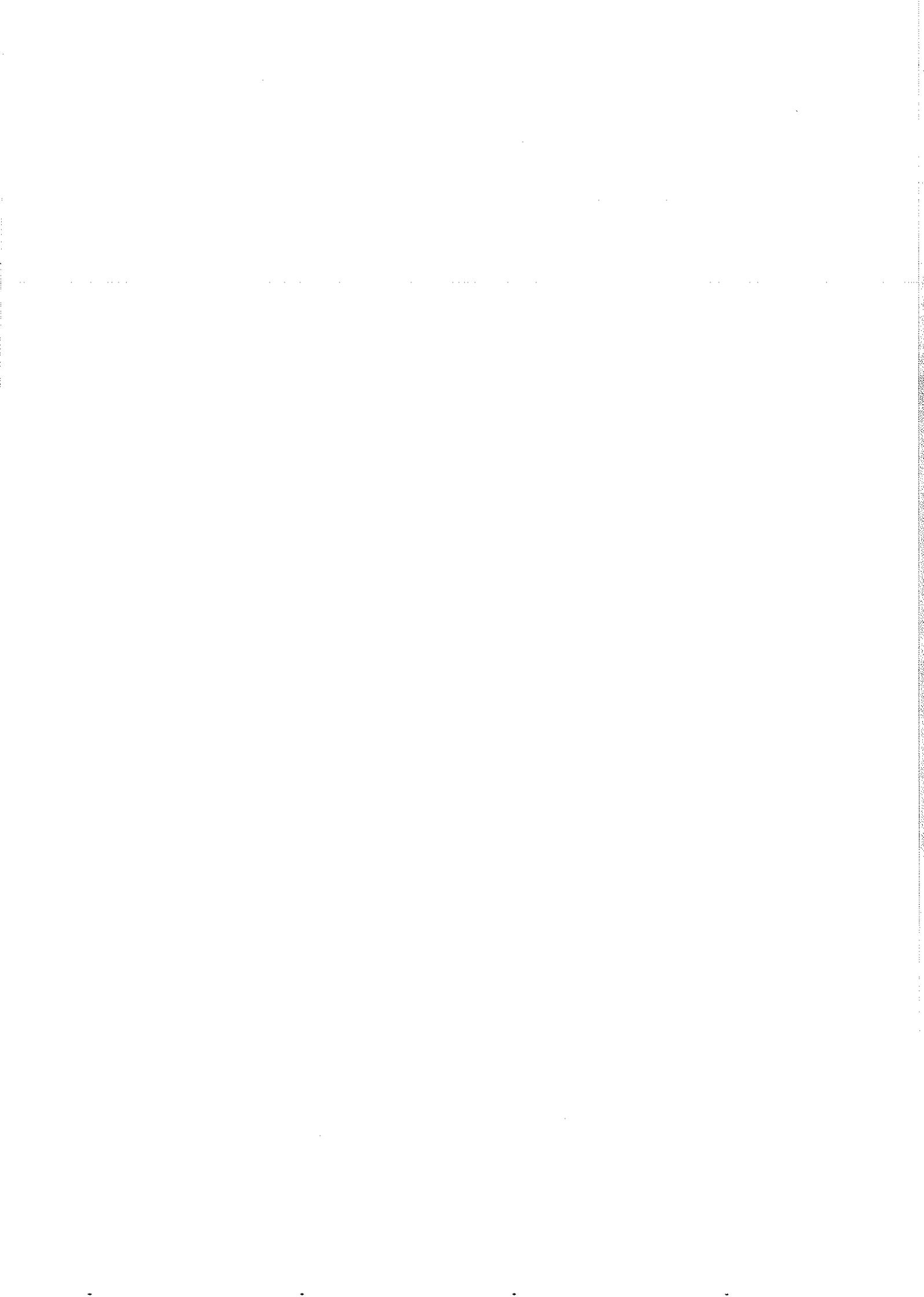
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O/O Secretary PWD

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**BEFORE THE HON'BLE NATIONAL
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E.K. KUMARESAN,

**Standing Counsel for Government
of kerala**

No.6, Indian Chambers (SICCI)

Annex Building, Ground Floor,

Esplanade, Chennai - 600 108.

Cell No: 94443 98701