

**BEFORE THE HONOURABLE NATIONAL GREEN TRIBUNAL
SITTING AT CHENNAI (SZ)
SUBMISSION BASED ON JOINT COMMITTEE'S FINAL REPORT
(157 OF 2016)**

IN THE MATTER OF :

Marvel River View County Owners' Welfare Association (Regn. No. 75/2006)

Represented by its Secretary

Manapakkam

Chennai

... Applicant

-VERSUS-

1. The Chairman

Airport Authority of India and others

...Respondents

S.No.	Particulars	Page No.
1.	Submission on the basis of Joint Committee's Report	1 to 4

Dated at Chennai on this 02.01.2021

Party in person

Hon'ble NGT (SZ), Vide order dated 20.02.2020, in application number 157 of 2016, constituted a Joint Committee comprising senior officers from MOEF & CC, Chennai, Executive Engineer PWD, District Collector, Kancheepuram and Tamil Nadu Pollution Control Board, **to enumerate the violations, it's impact on environment, possible remedial measures and nature of action taken for the violations found.**

After going through the Final Report submitted by the Committee to the Hon'ble NGT(SZ) on 15 December 2020, we would like to bring the following points to the attention of this Hon'ble Tribunal.

- **The Final Report does not enumerate the specific violations, even though they were reconfirmed by MOEF, as directed by this Hon'ble Tribunal in its Order dated 20.02.2020**
- **The Final Report does not address the impact of these specific violations on the environment as directed by this Hon'ble Tribunal in its Order dated 20.02.2020.**
- **The Final Report does not discuss the remedial measures for the specific violations as directed by this Hon'ble Tribunal in its Order dated 20.02.2020.**
- **The Final Report does not mention the nature of action taken for the violations found, as directed by this Hon'ble Tribunal in its Order dated 20.02.2020.**
- **The recommendation of the committee to dredge, widen and clear the river section for 3km D/S of the runway site is general in nature purely based on the recommendations from IIT(M) study, which was done for a different purpose, and with no specific reference to the violations in the Runway Bridge construction. All other recommendations are also based on IIT(M) study done for safeguarding the Airport from flooding. Petitioner's concerns were not looked in to.**

1. The Committee's Final Report to this Hon'ble NGT (SZ) is totally silent on the impact these major violations, that MOEF itself had re-confirmed vide its compliance report submitted to the Hon'ble NGT (SZ) and which also forms part of this Hon'ble Tribunal's order dated 20.02.2020, would have on the villages on the northern side of Adyar River.

2. The Committee entirely relied on a Report from IIT(M), which was also submitted to this Hon'ble Tribunal, vide its Final Report dated 15 December 2020. The scope of this IIT(M) study, as mentioned in its report, is to A) Understand the airport flooding. B) To minimize the magnitude of flooding and C) To suggest improvements to the airport's storm drainage system.

Hence it is very clear that IIT(M) has not studied the impact these major violations in the construction of the Runway Bridge would have on the villages on the northern side of the river, during floods. The IIT(M) study was simply to safeguard the Airport from the floods in the future and **this study will not really serve the purpose for which this Joint Committee was constituted.**

3. The Committee's Report is silent on the violation of 48 meters (157 ft) in the width of the Runway Bridge, that was reconfirmed by MOEF vide its compliance report, the consequential increase in the number of pillars standing on the bed of the river and its possible impact on the villages during floods.

However, IIT(M) has made a general mention that the piers will not have substantial impact on the water flowing capacity of the river. It is also silent, on the violation of 48 mtrs in the width of the Runway Bridge and its impact on the villages, during floods, understandably, as it is beyond the scope of their study.

4. The Committee's Report is silent on the violation, in the dimensions of the pillars that support this Runway Bridge, that was reconfirmed by MOEF vide its compliance report, and its impact on the environment during any calamity. The pillars should be of 1.2m in diameter as per EC, the actual being only 0.87m.

While this violation may not affect the free flow of water, the committee is silent on the effect this compromise in the diameter of these pillars would have on its strength to support the Runway Bridge, during any high flood situation and its possible impact on the environment. Neither did IIT(M) comment on this.

IIT(M)'s report brings out yet another serious deviation from the original design structure of the Bridge. The number of pillars as per the plan was 477. (page 31, book II of the petition.) However, IIT(M) mentions in its report that the number of pillars identified are 432 (page 6). Neither MoEF nor PWD had anything to say, if this IIT's observation is correct and if there is really a deviation from the planned design and its effect on the strength of the Runway Bridge during any calamity or its possible impact on the environment.

It will not be out of place to mention here that even after 8 years of completion of this Runway Bridge, no Wide-bodied aircrafts are landing on this Runway Bridge, the very purpose for which this Runway extension plan was taken up.

5. The Committee's Report is silent on the impact the violations, in the height of the bridge at the soffit level, would have on the villages on the northern side of the River during floods. The IIT(M)'s report that is a part of the Committee's report says, "The River will flow to its full capacity (at the soffit level of 10.5m) at the Secondary Runway Bridge section during a storm for a magnitude between 2 year and 5-year return period ". (page 35, 5th line). It is clear that the height of the Bridge at the soffit level is only 10.50m as against 11.90 as stipulated in the EC. This means that at any flood level above 10.50m, the flow of water will be obstructed by this massive Bridge structure.

PWD's letter dated 31.07.2008, which is a part of the Committee's Final Report, mentions a height of 11m, that should be, at the soffit level. PWD claims that Airport Authority Of India constructed the Bridge based on this recommendation. **This letter is only in the nature of a recommendation. In our view this recommendation, if followed, will be in violation of EC conditions, which stipulates a height of 11.9m at the soffit level.**

6) The Committee's Report is silent on the 4 KM stretch of airport's compound wall, sitting on the River bed, that was not a part of EC and built without the sanction from MOEF. IIT(M) recommends in its Report to Airport Authority Of India, the ways to strengthen the compound wall to safe guard the airport from future floods. This is a clear indication that the purpose of this massive and long compound structural wall is to prevent the excess water from the River from entering the Airport on the southern side of the River. **Then this blocked excess water will only have to flow on to the villages on the northern side of the River.**

7) The Joint Committee's Report is silent on the nature of action taken by MoEF&CC for the violations found.

To sum up, the Joint Committee has only relied on an IIT(M)'s study made for a different purpose of safeguarding the Airport during floods. The Committee has not dealt with the serious violations, that MOEF itself had reconfirmed vide its compliance report, in the construction of the Runway Bridge and the compound wall or the possible impact of these violations on the villages, including the Petitioner's, during floods, defeating the very purpose for which the Joint Committee was constituted.

The petitioner humbly submits to this Hon'ble Tribunal that MoEF&CC and the public works department have failed to monitor the project during its construction, were silent even after the violations were brought to their notice. The Committee to which they are constituents is equally silent on these serious violations, **even after its reconfirmation**, and on the actions taken for the violations, even after this Hon'ble Tribunal's order dated 20.02.2020.

The petitioner humbly submits that while 2015 floods was unprecedented with High Flood Level at 13.39m, anything even above the High Flood Level of 10.5m during 2005 floods, will inundate the villages as it did then, even without a Runway Bridge. This Runway Bridge structure which is 200m X 2m and also the 4km long compound wall on the southern side of the river will obstruct the free flow of the flood water and force the same to enter the villages in the northern side of the river.

To put it in a nutshell, the Committee has not at all gone in to the issues referred to them by this Hon'ble Tribunal. Neither had they tried to address the issues under reference. They simply relied on and reproduced extracts and recommendations from the reports of IIT(M), which did a study for a different purpose and from a different angle. Thus, the Committee's report does not serve the purpose or answers the issues referred by this Hon'ble Tribunal to the Committee.

The petitioner humbly submits, that the major violations of

- 1) 48 meters (157 ft) in the width of the bridge (463m as against 415m), lying on the bed of the River,**
- 2) 0.33 meters in the diameter of the pillars (0.87m as against 1.2m), lying on the bed of the River,**
- 3) 1.4 meters in the soffit level of the bridge (10.50m as against 11.90m), and**
- 4) The unauthorized construction of 4KM stretch of the compound wall without clearance from MOEF, lying along the edge of the River bed,**

have all been reconfirmed by MOEF, vide their compliance report and are all in total violation of EC conditions, and that the Runway Bridge, with these major violations would obstruct the free flow of river water during floods, and inundate the villages on the northern side of the River, including that of the Petitioner's.

This Hon'ble Tribunal is humbly requested to issue orders to demolish the encroached and unauthorised portions of the Runway Bridge and the compound wall on the river bed, which is in violation of MOEF norms/stipulations and save the residents of the petitioner's village and the nearby villages from future floods.

**For Marvel River View County
Owners' Welfare Association**