

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE BENCH AT CHENNAI

ORIGINAL APPLICATION No. 164 OF 2015 (SZ)

Jawaharlal Shanmugam,
Thiruvanmiyur, Chennai.

... Applicant

Versus

Tamil Nadu Pollution Control Board
and Ors.

... Respondents

REPORT FILED ON BEHALF OF CMWSS BOARD

DATE : 02.02.2024



**M/s. GAUTAM S. RAMAN
ADVOCATE**

**STANDING COUNSEL CHENNAI METROPOLITAN WATER SUPPLY AND
SEWERAGE BOARD**

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Place: Chennai

Date : 02.02.2024

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

ORIGINAL APPLICATION No 299 of 2013 (SZ)

With

ORIGINAL APPLICATION No 164 of 2014 (SZ)

With

ORIGINAL APPLICATION No 164 of 2015 (SZ)

With

ORIGINAL APPLICATION No 130 of 2016 (SZ)

IN THE MATTER OF

Tribunal on its own motion on the News item

Reported in The Hindu Dt.25.10.2013

About beach at Adyar Estuary with trash, rubble

... Applicant(s)

-VERSUS-

The Principal Secretary,
Environment & Forests,
Govt. of Tamilnadu, Chennai & ors.

... Respondent(s)

With

P. Edwin Wilson,
Purasaiwalkam, Chennai.

... Applicant(s)

-VERSUS-

The State of Tamil Nadu,
Rep. by its Chief Secretary,
Chennai & ors

... Respondent(s)

With

Jawaharlal Shanmugam,
Thiruvanmiyur, Chennai.

... Applicant(s)

-VERSUS-

Tamil Nadu Pollution Control Board & ors.

... Respondent(s)

With

S. Muthumeena,
Egmore, Chennai

... Applicant(s)

-VERSUS-

The Secretary to the Government
PWD, Secretariat, Chennai & Ors.

... Respondent(s)

INDEPENDENT REPORT FILED ON BEHALF OF CMWSS BOARD

I, V. Thilagavathi, Daughter of Thiru. V. Vellaiyappan, Hindu, aged about 59 years working as Superintending Engineer (Project) V of Chennai Metropolitan Water Supply and Sewerage Board having office at 5th floor, No.1, Pumping Station Road, Chindadripet, Chennai 600 002 do hereby solemnly affirm and sincerely state as follows:

1. I am the Superintending Engineer (P) V of the Chennai Metropolitan Water Supply and Sewerage Board and as such I am well acquainted with the facts and circumstances of the case.
2. I am filing this status report on behalf of the Managing Director, Chennai Metropolitan Water Supply and Sewerage Board, Chennai – 02, as per the orders issued by the Hon'ble National Green Tribunal, Chennai on 01.12.2023.
3. I respectfully hereby submit that, the Government of Tamil Nadu is committed to improving the ecological condition of the rivers and water bodies by ensuring sustainable and healthy living environment for all in the State of Tamil Nadu. While the Government has been implementing many projects for betterment of Adyar River including restoration of Adyar Creek there is a need to rejuvenate the full stretch of Adyar River:
 - a) To ensure effective abatement of pollution and protection of the river by adopting a sustainable approach for achieving water quality as per national standards (CPCB designated best use – water quality criteria Class D – "Propagation of Wildlife and Fisheries)
 - b) To maintain minimum E-flows in the rivers with the aim of ensuring water quality and sustainable development.

The Government of Tamil Nadu has come up with a unique approach of "One River, One Operator" to restore River Adyar. The Government of Tamil Nadu intends to appoint a private Concessionaire for Restoration of Adyar River under Hybrid Annuity Model (HAM), through Public Private Partnership Mode on Design, Build, Finance, Operate and Transfer basis. It has also been proposed to set up a Special Purpose Vehicle (SPV) named Ms. Chennai Rivers Transformation Company Limited, fully owned by the Govt. of Tamilnadu, to be headed by Principal Secretary, MA&WS Dept with representations from various stakeholders.

The development obligations of the Concessionaire are as follows:

- a) Take necessary steps to ensure that Adyar River meets the required water quality standards for propagation of wildlife and fisheries (Class D Water Body).
- b) Improve the overall ecological health of the river by implementing measures to intercept, divert, and treat polluting outfalls.
- c) Undertake rehabilitation and development of sewage treatment facilities (STFs) comprising of traditional sewage treatment plants (STPs) of appropriate size, capacity and technology, and other innovative means of sewage treatment in accordance with Good Industry Practice;
- d) Undertake river channel management works to enhance water flow, reduce erosion, and improve the overall stability of the river system.
- e) Implement flood protection measures to mitigate the risk of flooding in the surrounding areas.
- f) Develop riverfront areas to enhance public access, recreational opportunities, and aesthetic value. Riverfront development to include landscaping, construction of pedestrian walkways, cycle tracks, public parks, and other such recreational amenities;
- g) Establish efficient solid waste management systems to prevent pollution and maintain the cleanliness of the river and its surroundings. Solid waste management to include, but not limited to, the following: collection, transportation, and disposal of waste generated within the right-of-way of the Adyar River (including removal and disposal of waste and debris collected from the surface of Adyar River);
- h) Implement environmental protection measures to safeguard the river ecosystem and adjacent habitats;
- i) Undertake ecological and biodiversity protection works to enhance the natural habitats and promote sustainable wildlife and fisheries propagation;
- j) Development an integrated SCADA based system for monitoring and supervision of the Project; and
- k) Develop ancillary infrastructure such as access roads, trails, utilities, and other necessary facilities to support the river restoration efforts.

The overall scope of work of the Concessionaire is as follows:

- a) Planning, designing and engineering of the Project
- b) financing of the Project upto 50% of the Bid Project Cost
- c) Procurement of equipment and materials required for the Project
- d) Construction and commissioning of the Project:
 - (i) The Concessionaire shall assess the existing infrastructure/ assets.
 - (ii) Identify gaps in terms of quality/ condition of the existing assets and capacity of the existing assets.

- (iii) Undertake rehabilitation of existing assets to ensure compliance with Specifications and Standards, and Applicable Laws, and to ensure fulfillment of KPIs.
- (iv) Propose and develop new infrastructure to meet capacity gaps
- e) Operation and maintenance of the Project during the Operation Period
- f) Compliance with all Applicable Laws
- g) Fulfillment of the KPIs
- h) Transfer of the Project Assets to the Authority upon expiry or early termination of the Concession Agreement

The time frame for the project as mentioned in the Bid document is,

S.No	Description of work	Time frame
1	Development Period leading to Appointed Date	6 months from the date of signing of the Concession Agreement
2	Construction Period leading to COD (Commercial Operations Date)	30 months from the Appointed Date
3	Operation Period	15 years from COD

The tender for the Selection of Concessionaire was called with bid opening date as 01.12.2023. Later, it was extended, with 19.01.2024 as bid opening date. 2 nos of bidders have participated in the tender. The technical bids are opened and are currently under evaluation. Once the work order is issued, the project execution period will be 36 months.

Solemnly affirmed at Chennai
on this 2nd day of February 2024 and
signed her name in my presence

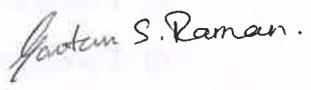

SUPERINTENDING ENGINEER
(CONSTRUCTION)
CMWSS BOARD, CHENNAI

Before me

 28/1/2024.
Advocate: Chennai

4th and last page.

No. of corrs:


COUNSEL FOR RESPONDENT
(CMWSSB)