

BEFORE THE NATIONAL GREEN TRIBUNAL

SOUTHERN ZONE, CHENNAI

Original Application No. 180 of 2023 (SZ)

And

Original Application No. 183 of 2023 (SZ)

In the matter of:

Tribunal on its own motion in the matter

Of Chennai Rains Oil Companies in

Michaung Ground Report

...Applicant

Versus

Chennai Metropolitan Water Supply & Sewage Board,

Chennai and Others

...Respondent(s)

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Through

Dr. D. Shanmuganathan

Standing Counsel of Tamil Nadu,

National Green Tribunal,

Southern Zone, Chennai

BEFORE THE HONBLE NATIONAL GREEN TRIBUNAL

SOUTH ZONE AT CHENNAI

Original Application No. 180 and 183 of 2023

IN THE MATTER OF

Tribunal on its own motion SUO MOTU based on the Visual media titled Chennai Rains: Oil Companies - Shocking Story - Michaung Ground Report covered by on VIKATAN TV Chennai dt. 06.12.2023.

Vs

The District Collector, Chennai District & Others

Respondents

Report filed by the Executive Engineer, WRD, Araniyar Basin Division,
Chepauk, Chennai-5

Status Report filed by the Water Resources Department with regard to report submitted by the Chennai Petroleum Corporation Limited (CPCL) on 26.02.2024.

I, Er. G.R. Radhakrishna, son of R.G. Ramalingam, aged about 50 years and working as Executive Engineer, WRD, Araniyar Basin Division, Chepauk, Chennai-05 and having office at Chennai, do hereby solemnly affirm and sincerely state as follows.

1) It is respectfully submitted that the CPCL have mentioned that the adequately well-designed storm water system in their company successfully handled the heavy rain in 2015. During the 2015 monsoon deluge, heaviest one day rainfall of 494mm was recorded on December 1st 2015. The localities adjoining the Buckingham Canal in close proximity to CPCL such as Manali, Kargil Nagar, Sathyamoorthy Nagar, Sadayankuppam were completely inundated. The average bund level of the North Buckingham Canal is +1.20m MSL. It can be witnessed that the CPCL premises is at a

much lower elevation compared to Buckingham Canal Bund level, which would have caused flooding in the CPCL campus contradicting with the statement of CPCL having a adequately well-designed storm water system which tackled the 2015 monsoon deluge.

2) It is respectfully submitted that the CPCL have mentioned that their refinery was inundated to a height of one metre owing to the excess water of around 45000 cusecs released from Poondi and Puzhal Reservoirs. It is pertinent to mention that the WRD engages in the process of the pre-emptying the reservoirs well before the onset of the North East Monsoon season ensuring that F.R.L. (Full Reservoir Level) of the Reservoir is maintained at every deluge instance by opening the sluice gates of the reservoir, thereby ascertaining that only normal adequate flow only prevails in the downstream areas of the reservoir and also decreasing the time period of inundation in the downstream areas of the reservoir. In fact probable peak discharge of the Kosasthalaiyar river at tail end is 125000 cusecs but in this instance the discharge occurred only 45000 cusecs which is only about third of the probable peak discharge. The CPCL should have necessary flood defences to face the peak discharge rather than blaming the natural river discharge lower the peak.

3) It is respectfully submitted since the elevation of CPCL premises is at lower elevation compared to the Bund level of the North Buckingham Canal, the flooding was caused only to lower elevation and surface runoff from the nearby localities. This flooding caused the flood waters mix with oil refinery, in order to ensure their CPCL premises devoid of oil spilled flood water, CPCL would have discharged this surplus flood waters into the nearby waterbodies such as the Redhills surplus course and the North Buckingham Canal.

4) It is respectfully submitted that the CPCL have mentioned that shut down of operations of CPCL Manali Refinery would have led to acute shortage of petroleum products in the state and would have resulted in many activities coming to a standstill. This oil spill has caused to environmental damage to a great extent that Ennore Creek which nourishes avi-fauna, crustacean and mangrove species was devastated. This oil spill mishap has drastically affected the livelihood of the fishing hamlets around the Ennore Creek. The growth of industrial sectors should not be at the cost of the degradation of the natural ecosystem of the Ennore Creek. The petroleum manufacturing enterprises such as Bharat Petroleum Corporation Limited (BPCL) and Hindustan Petroleum Corporation Limited (HPCL) adjoining the Ennore Creek were developed from the wetlands and Salt Pan lands. These wetlands would have once acted as a flood- buffer during flood circumstances several decades ago before the development of BPCL and HPCL.

5) It is respectfully submitted that the CPCL have mentioned that during 2015 monsoon floods, Vardah (2016), Nivar (2020) Manali Industrial area got severely affected due to inadequate drainage system to Buckingham Canal/Kosasthalaiyar river. It is a contradicting statement by CPCL since both the waterbodies such as North Buckingham Canal Kosasthalaiyar river confluence to the Bay of the Bengal through the Ennore sea mouth. The Ennore sea mouth is capable of discharging around 1,30,000 cusecs during the North East Monsoon Season. In addition to this, the WRD engages in premonsoon preparedness works every year both in the North Buckingham Canal and the Redhills Surplus course which facilitates desilting and the removal of obstructions such as floating matters and vegetation ensuring that there is free flow along the vent ways of the bridges across these waterbodies. In the past, the flood

mitigation works were executed in these waterbodies to accommodate the runoff from these waterbodies. In addition to this, the WRD has proposed flood mitigation works in both these waterbodies to further enhance the flood carrying capacity of these two waterbodies.

6) It is respectfully submitted that the CPCL have mentioned that in the year 2021 IIT madras has visited their premises and furnished report that the Buckingham Canal flow capacity is severely compromised due to the bridge construction. The construction of the above said bridge across the Buckingham canal adjoining Manali is now completed and the free flow is observed along the ventways of this bridge during the monsoon.

7) It is respectfully submitted that the CPCL have mentioned that IIT Madras has reported that the flood discharge from reservoirs and lakes and the capacity of the flood carrier is overwhelmed due to encroachments, siltation and obstructions, thus jumping the course of flow and inundating the nearby areas. It is pertinent to mention that Buckingham Canal is devoid of encroachment nearby the CPCL premises. The aspect of siltation and obstructions in the water bodies is counteracted by the Premonsoon Preparedness Intervention. It is further respectfully submitted that CPCL deliberately engages in leaking the oil through its pipelines during the monsoon periods which was visualized by the oil floating at top surface of the Buckingham Canal. The dilution of the Canal during monsoon makes it easier for CPCL to deliberately leak the oil into the Buckingham Canal. The periodical inspections have to be carried out by the Tamil Nadu Pollution Control Board to ensure that no such environmental havoc happens in the future, thereby safeguarding the natural ecosystem and livelihood of the fishermen in the Ennore Creek.

8) It is humbly submitted that the CPCL instead of raising their level of operations above the potential maximum flood level during the peak discharge of 125000 cusecs they are putting blame on the Water Resources Department on the natural flood which is happening due to unprecedented rainfall during Michaug Cyclone. It is partially to note that out of 45000 cusecs discharge only 4250 cusecs is discharge from Poondi Reservoir, that to in a gradually increasing and then decreasing method.

Solemnly affirmed and signed before me on this 26th
February 2024 at Chennai


**Executive Engineer, WRD,
Araniyar Basin Division,
Chepauk, Chennai-5**