

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

Application No.272 of 2024 (SZ)

K. Saravanan s/o kasinathan  
Aged about 37 years  
30, urukkuppam, Besant Nagar, Chennai – 90 - Applicant

Vs

1. Tamil Nadu Coastal Zone Management Authority  
By its Member Secretary  
1, Jennis Road, Panagal Building  
Ground Floor, Saidapet, Chennai – 600 015

2. The National Highways Authority of India  
Rep by its Project Director  
Sri Balaji Towers, 54-28, Butt Road, near kathipara Junction  
South Phase, SP Industrial Estate Area, Parangi malai  
Guindy, Chennai, Tamil Nadu – 600 016 - Respondents

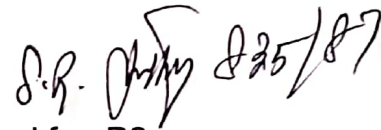
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PLACE – Chennai

DATE -- 17.10.2024

  
Counsel for R2



BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

Application No.275 of 2024 (SZ)

OA 275/24

K. Saravanan S/o Kasinathan

Aged about 37 years

30, urukkuppam, Besant Nagar, Chennai – 90

- Applicant

Vs

1. Tamil Nadu Coastal Zone Management Authority

By its Member Secretary

1, Jennis Road, Panagal Building

Ground Floor, Saidapet, Chennai – 600 015

2. The National Highways Authority of India

Rep by its Project Director

Sri Balaji Towers, 54-28, Butt Road, near kathipara Junction

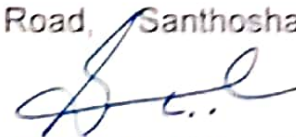
South Phase, SP Industrial Estate Area, Parangi malai

Guindy, Chennai, Tamil Nadu – 600 016

- Respondents

**Status report filed by the 2<sup>nd</sup> Respondent**

I, M.S. Chaithanya son of Mr. M. Thejendranath, Hindu, aged about 40 years, presently working as Project Director, Project Implementation Unit (PIU) – Chengalpattu, having office at No. 41/8A, 2/285, Second Floor, Velachery – Tambaram Main Road, Santhoshapuram,



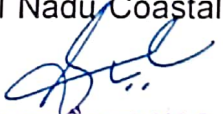
एम.एस. चैतन्या IM.S. Chaithanya

परियोजना निदेशक। Project Director

प.शा.ई. चेंगलपट्टु। PIU Chengalpattu

Medavakkam, Chengalpattu District, do hereby solemnly affirm and sincerely state as follows:

1. I am serving as Project Director, Project Implementation Unit - Chengalpattu, National Highways Authority of India and I am conversant with the facts of the case from the records available in the office as such I am Competent to swear this status report on behalf of 2<sup>nd</sup> Respondent.
2. I submit that the existing ECR connecting Chennai & Puducherry was initially designated as State Highway (SH-59). The stretch was developed as 2 Lane with Paved Shoulder / 2 Lane by State Government of Tamil Nadu through its corporation M/s. TNRDC.
3. I submit that Government of India decided to develop various roads in the country under Bharatmala Pariyojana and circulated an SOP dated. 03.11.2017 regarding investment approval for Phase – I of Bharatmala. The list include project connecting Chennai to Puducherry stretch of 137 Km vide Sl. No. 7 of Annexure II (c) under Feeder Routes. The stretch was entrusted to NHAI for implementation.
4. I submit that National Highways Authority of India had obtained clearance for the project from Mugaiyur to Marakkanam (Pkg II) of ECR from Ministry of Environment, Forest and Climate Change and Government of India (GOI) vide File No. 11-17/2019-IA-III dated 23.10.2020 based on the recommendation of Tamil Nadu Coastal Zone

  
एम.एस.चैतन्या | M.S. Chaithanya  
परियोजना निदेशक | Project Director  
प.का.ई. चेंगलपट्टु | IPIU Chengalpattu

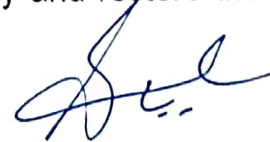
Management Authority (TNCZMA)'s Lr. No. 9909/EC-3/2019-1 dated 26.06.2019.

5. I submit that, the Concessionaire of the project had submitted the General Arrangement Drawing (In short GAD )to Water Resource Department (in short WRD) for obtaining enter upon permission and to commence construction with an assurance that they will take up the construction activity initially for a length of 50% of the waterway across the river and the rest will be taken up by clearing the already dumped material. It is also assured that the entire waterway area will be cleared within a month once the construction of the bridge is completed.

6. I humbly submit that A Major Bridge is proposed to construct for 500m across Odaiyur Lake on as a part of Mamallapuram - Puducherry (PKG-02) on NH-332A (ECR). NHA has obtained necessary CRZ clearances from MoEF&CC as the project passes through CRZ limits at various locations including Odaiyur lake.

7. I humbly submit that during execution of works by M/s SPL ECR Highway Pvt., Ltd., this petition is filed before NGT Southern Zone, Chennai Bench seeking to

a). direct the 2<sup>nd</sup> Respondent to remove all the soil and other materials dumped inside the Yedayanthittu estuary and restore the area to its original condition



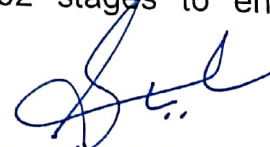
एम.एस.चैतन्या | M.S. Chaithanya  
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प.का.ई. चेंगलपट्टू | PIU Chengalpattu

b). direct the 2<sup>nd</sup> Respondent to construct a bridge on stilts across the entire width of the estuary ,and notfill in/create embankments in CRZ IB and IVB areas as per the approved CZMP.

c) direct the 2<sup>nd</sup> Respondent to avoid the area marked as CRZ in aligning the bridge, and restore the area destroyed by clearing mangroves and land filling

d). direct the 1st Respondent to take action against the 2<sup>nd</sup> Respondent for violation of CRZ notification 2011,

8. I further submit that already a status report was filed by NHA1 in the earlier OA 106 of 2024 stating that the cofferdam is proposed in two stages for Half width of Odaiyur lake instead of entire width at single stage to ensure free flow of natural tidal water. The Earthen Material being used for construction of cofferdam will be removed within one month after completion of Major Bridge construction as specified by CRZ, MoEF & CC under Specific Condition while issuing CRZ clearance on 23.10.2020. I humbly submit that It was appraised to the Tribunal that the works are in compliance to CRZ Clearance and construction of cofferdam is universally adopted method for construction in Water Bodies. It was submitted to Tribunal that Cofferdam will be taken up in 02 stages to ensure

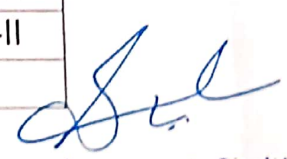


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uninterrupted tidal flow & debris will be removed after completing major bridge works.

9. I humbly submit that the Odaiyur Lake is backwaters, hence falls under CRZ-IVB. As per the conditions, construction of bridge is a permitted activity however debris after construction shall be removed.

Sl. No.	From	To	Length	Remarks
1	33+815	33.915	0.100	NDZ
2	33+915	33+969	0.054	CRZ-IVB
3	33+969	33.993	0.024	CRZ-IB
4	33+993	34+093	0.100	NDZ
5	34+823	35+585	0.762	NDZ
6	36+806	36+908	0.102	NDZ
7	36+908	36+920	0.012	CRS-IB
8	36+920	37+335	0.415	CRZ-IVB
9	37+335	37+359	0.024	CRZ-IB
10	37+359	37+557	0.198	NDZ
11	37+880	39+690	1.810	NDZ
12	54+804	54+884	0.080	NDZ
13	54+884	55+157	0.273	CRZ-IA
14	55+157	55+175	0.018	CRZ-IB
15	55+175	55+509	0.334	CRZ-IVB
16	55+509	55+559	0.050	CRZ-IA
17	55+559	55+806	0.247	CRZ-II
18	55+806	55+824	0.018	CRZ-IA
19	55+824	55+994	0.17	CRZ-II
20	55+994	56+116	0.122	CRZ-IA
21	56+116	56+168	0.052	CRZ-IB
22	56+168	56+761	0.593	CRZ-II
23	57+868	59+612	1.744	CRZ-II
Total			7.302	

  
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परियोजना निदेशक। Project Director  
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10. I humbly submit that DPR Consultant engaged by NHAI M/s. Aarvee Associates prepared various reports for obtaining necessary clearances for CRZ clearances. The Consultant has taken up mapping of CRZ Boundaries through Institute of Remote Sensing, Anna University, Chennai, which is empanelled agency by MoEF, Government of India. As per the CRZ Mapping certified by Anna University, the Major Bridge portions falls under CRZ - IVB i.e., Intertidal Zone.

11. I humbly submit that based on certified maps, the DPR Consultant vide Lr. No. AA/EWS/2145/2018-19/2074, dated. 10.06.2019 furnished necessary reports for obtaining CRZ clearances. Accordingly, NHAI vide Lr. No. 1048, dated. 30.11.2018 submitted proposals to Tamil Nadu Coastal Zone Management Authority (TNCZMA), Chennai requesting for issuing necessary clearances.

12. I humbly submit that TNCZMA vide Lr. No. 9909/EC-3/2019-1, dated. 26.06.2019 recommended proposal to Ministry of Environment, Forest and Climate Change. Government of India vide File No. 11-17/2019-IA-III, dated. 23.10.2020 communicated CRZ clearance for the project with specific conditions that as committed by the NHAI, five times the number of mangroves destroyed or cut during the construction process shall be replanted as compensatory mangrove afforestation, in an area of 21.283 ha. In consultation with the Forest Department.

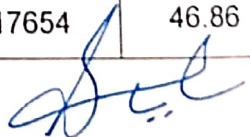


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13. I humbly submit that the allegation of petitioner stating that the length of the bridge has not constructed for entire width of estuary of 1200 Mtr is false. There are existing 02 Nos of 2 lane Bridges of 414 Mtrs i.e., 396 Mtrs of Major Bridge and 18 Mtrs of Minor Bridge across Yedayanthitu Estuary falling as a part of existing 2 lane ECR connecting Chennai & Puducherry. Now, NHAI has proposed to construct 02 Nos of new Bridges of 396 Mtrs & 18 Mtrs length parallel to the existing Bridge, which are sufficiently catering the needs of Tidal variations to maintain the current scenario. Further, it is to submit that there are Salt Pans towards Western Side of the Bridge, which is a commercial activity.

14. I humbly submit that as submitted above, while issuing CRZ clearances by MoEF&CC, it was instructed to take up 05 times the number of mangroves destroyed or cut during the construction process shall be replanted as Compensatory Mangrove Afforestation. As per initial survey, it was reported that the existing mangrove at 03 Nos of locations will get affected due to proposed 4 lane bridge. The details are as hereunder:

Sl. No.	Chainage	Location	Area proposed for Mangrove Plantation in Ha.	Nos of Mangroves	Cost of Mangrove Plantation in Lakhs
1	Km. 15+700 – Km. 15+800	Creek near Kalpakkam	5.044	17654	46.86

  
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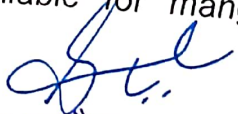


Sl. No.	Chainage	Location	Area proposed for Mangrove Plantation in Ha.	Nos of Mangroves	Cost of Mangrove Plantation in Lakhs
2	Km. 23+300 – Km. 23+400	Creek near Vayalur	4.919	17217	45.70
3	Km. 54+400 – Km. 55+600	Creek near Marakkanam	11.32	39620	105.16

15. I humbly submit that during execution of existing mangroves at 02 Nos of locations i.e., Km. 15+700 – Km. 15+800 (Creek near Kalpakkam) & Km. 23+300 – Km. 23+400 (Creek near Vayalur) are not affected, as NHAI has decided to utilize the existing structures instead of construction of new bridges. Accordingly, out of 03 Nos of locations, mangroves are getting affected only at 01 location i.e., at Km. 54+400 – Km. 55+600 in Yedayanthitu Estuary near Marakkanam.

16. I humbly submit that based on the field survey and final approved designs for the project, Independent Engineer reported that mangrove plantation to an extent of 1565 Sqm are getting actually affected due to the proposed bridge construction (Reports Enclosed)

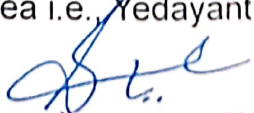
17. I humbly submit that Respondent – 02 vide Letter No. 1903, dated. 16.10.2023 requested DFO, Villupuram to furnish proposals towards Compensatory Afforestation towards mangrove trees. In response to that, DFO, Villupuram vide Lr. No. C. No. 8673/2023/L2 dated. 21.11.2023 informed that “...there is no suitable land available for mangrove

  
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plantation in Villupuram District and may be carried out in consultation with DFO, Cuddalore...".

18. I humbly submit that accordingly, this office vide Lr. No. 0887 dated. 10.05.2024 requested DFO, Cuddalore to furnish detailed proposals towards Mangrove Afforestation. DFO, Cuddalore vide Lr. No. 3000/2024/D, dated. 05.07.2024 furnished the detailed proposals for Rs. 1.97 Crs towards Mangrove Plantation in 11.32 Ha with total 75,000 Nos of Trees in Pichavaram Mangrove area under Cuddalore Division. NHA has remitted Rs. 1.97 Crs on 29.08.2024 to the Forest Department for taking up of Compensatory Afforestation towards disturbed mangrove plantation. Hence, the allegation made by the applicant are not acceptable.

19. I humbly submit that Respondent – 02 vide Lr. No. 1573, dated. 23.08.2024 communicated the directions of Tribunal dated. 22.08.2024 in respect of O.A. No. 106 of 2024 to both IE & Concessionaire and instructed them for strict adherence with reference to the construction methodology in the Back Waters i.e., CRZ – IVB. During subsequent inspection, it was observed that even though the Concessionaire for the work M/s. SPL ECR Highways Pvt., Ltd., has taken up rectification work in respect of additional Cofferdam in Odaiyur Lake, they have not taken up similar action in respect of another Back Water area i.e., Yedayanthitu

  
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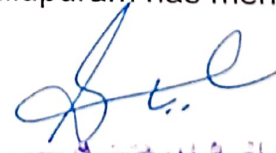


near Marakkanam. The same was observed that necessary instructions were issued to both IE & Concessionaire for the project for immediate rectification in compliance with the NGT orders.

20. I humbly submit that Independent Engineer vide Letters dated. 25.06.2024, 04.07.2024, 15.07.2024, 07.08.2024, 12.08.2024, 14.08.2024, 26.08.2024 & 16.09.2024 instructed Concessionaire M/s. SPL ECR Highways Pvt., Ltd., multiple times for removal of excess embankment in the area. The Concessionaire submitted invoices towards Project Milestones for Rs. 31,68,00,000/- on 01.07.2024. While processing the invoices, NHAI has **withheld Rs. 3,36,60,000/-** exclusively on account of deviation in the construction methodology in the back waters and the same was informed vide Lr. No. 1560, dated. 21.08.2024.

21. I humbly submit that Subsequently, vide Lr. No. 0602, dated. 26.03.2024 a Notice has been issued to the Concessionaire for immediate rectification of the excess Cofferdam failing which action under the provisions of Concession Agreement was initiated.

22. I humbly submit that in response to the various letters issued by both NHAI & IE, The Concessionaire vide letter No. SEHPL/NH-332A/MM/P2/PMO/653 dated 30.07.2024 furnished a copy of letter issued by EE, WRD, Lower Pennaiyar Basin Division, Villupuram has mentioned



एम.एस. चैतन्या M.S. Chaitanya  
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therein the EE have inspected the location on 24.07.2024 and instructed as hereunder:

“For Considering discharge of water due to tidal variation, the available open arrangements has been sufficient to meet the river flow and in forth coming monsoon tide variation, the available arrangements has not sufficient. Hence it is requested to do the necessary future opening arrangements for free flow of water with respect to tide variation before onset of monsoon.

Further the heavy excavating machineries of more numbers should be kept at site for emergency”

However, both Authority & IE have not accepted the same and repeatedly instructed Concessionaire to remove the soil. From the above, it may be observed that Respondent – 2 has already initiated action towards the violation raised by the petitioner.

23. Keeping in view of the directions of NGT vide Orders dated. 22.08.2024 in respect of earlier O.A. No. 106 of 2024, the Respondent (2) has instructed the Concessionaire to remove excess Cofferdam immediately. Further, EE, WRD vide Letter dated. 30.09.2024 stated that “It has been assured that at the Major Bridge site (Km. 55+350) across Ongur River, all the 4 bays (Cofferdams) will be opened before the onset of monsoon. But it has been noticed that the Cofferdam and all other

  
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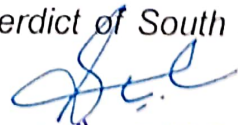


construction materials are still on the water way, which will obstruct the water flow during monsoon. Hence, the water may please be cleared so as ensure the free flow of water to sea.

24. The Concessionaire vide letter Nos. SEHPL/NH-332A/MM/P2/PMO/791 and 792 dated 03.10 .2024 reported that the excess length of Coffe Dam has been removed. Project Director, NHAI, PIU, Chengalpattu on behalf of Respondent No.2 inspected the project locations on 09.10.2024 and confirmed that no excess length of Cofferdam at site

25. I further submit that Concessionaire M/s. SPL ECR Highways Pvt., Ltd., vide Letter No. 782 dated. 28.09.2024 informed that they have removed the excess length of Cofferdam (Site photographs enclosed)

26. I further submit that Further, in the earlier O.A. No. 106 of 2024, Respondent No. 2 has assured that no construction activities will be taken up within Odaiyur Lake area. However, Independent Engineer vide Letter No. 139, dated. 19.09.2024 reported that "...Construction of Slip Road from Km. 39+400 to Km. 39+500 and the entry / exit for a length of 285m towards Mahabalipuram side form Km. 39+400 as per Fig. No. 2.1C given in Page No. 18 of IRC: SP-84-2019 is falling in the Odaiyur Lake territory till Km. 39+500 on RHS. Therefore, it is not possible to construct the Slip Road and exit ramps based on the final verdict of South Zone

  
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NGT as stated above. Further, without construction the Slip Road upto Km. 39+400 and exit ramp from the LVUP location of Km. 39+727 on RHS, the purpose of construction the LVUP to provide safe access to the road users who are accessing the village road will become null and void. The Authority to take permission of the South Zone NGT for construction of Slip Road as stated above to facilitate the safety of the road users and to enable the purpose of the LVUP constructed. The area of construction into the Lake portion for this purpose is estimated about 2648 Sqm. A sketch showing this is enclosed with this letter for ready reference of the Authority and for onward submission to South Zone NGT to take their permission..."

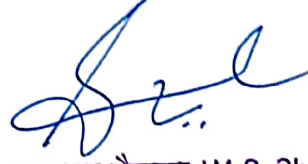
27. I further submit that Keeping in view of safety of Road Users, construction of Slip Road is very much essential, failing which there is every chance that people may travel in opposite directions on the high-speed corridor, leading to fatal accidents. As the extent of construction is very nominal to the tune of 2650 sqm along the edge of existing road

(Drawings enclosed), the Tribunal may kindly permit for construction of Slip Road at this location. Site photographs showing status is submitted herewith.



एम.एस.चेतन्या IM.S. Chaithanya  
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28. Hence, I pray that this status report may kindly be recorded and pray that this Hon'ble Bench may kindly be pleased to pass suitable orders taking into consideration the facts narrated above and thus render Justice.



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Solemnly affirmed at Chennai on this the 17<sup>th</sup> Day of October 2024 and Signed his name in my presence

Before me

E. DEE P. ICA  
Advocate : Chennai 457, Aditya Law  
Chambers  
High Court, Madras  
Ch-1

**BEFORE THE NATIONAL  
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SOUTHERN ZONE,  
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**Application No.272 of 2024  
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near kathipara Junction South  
Phase, SP Industrial Estate  
Area, Parangi malai**

Guindy, Chennai, Tamil Nadu  
– 600 016

- Respondents

**Status report filed  
by the 2<sup>nd</sup>  
Respondent**

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2.	10.05.2024	Letter of NHAI vide Lr. No. 0887 dated. 10.05.2024 addressed to DFO, Cuddalore	2 - 3



3	05.07.2024	Letter of DFO, Cuddalore vide Lr. No. 3000/2024/D, addressed to NHAI, furnishing the detailed proposals for Rs. 1.97 Crs towards Mangrove Plantation in 11.32 Ha with total 75,000 Nos of Trees in <u>Pichavaram Mangrove area under Cuddalore Division.</u>	4-5
4.	23.08.2024	Letter of NHAI vide Lr. No. 1573, dated. 23.08.2024 to both IE & Concessionaire communicating the directions of Tribunal dated. 22.08.2024 in respect of O.A. No. 106 of 2024 and for strict adherence of the order	6-14
5.	25.06.2024, 04.07.2024, 15.07.2024, 07.08.2024, 12.08.2024, 14.08.2024, 26.08.2024 & 16.09.2024	Letter of Independent Engineer addressed to Concessionaire M/s. SPL ECR Highways Pvt., Ltd	15-39
6.	21.08.2024.	NHAI Lr. No. 1560 addressed to Concessionaire M/s. SPL ECR Highways Pvt., Ltd.,	40-41
7.	26.03.2024	NHAI VIDE Lr. No. 0602, a Notice has been issued to the Concessionaire for immediate rectification of the excess Cofferdam	42-43

8.	30.07.2024,	Letter of Concessionaire addressed to EE, WRD vide Lr. No. SEHPL/NH-332A/MM/P2/PMO/653,	
9.	19.9.2024	Letter of Independent Engineer vide Letter No. 139	48-50
10	09.10.2024	Letter of Independent Engineer addressed to NHAIPU, Chengalpattu	51-55
11		Photos	57

Dated at Chennai on this 14<sup>th</sup> Day of Oct 2024

*S.R. Prathy*  
Counsel for 2nd Respondent

11014/34)

E.Mail - dfgvpm@yahoo.com

TAMILNADU FOREST DEPARTMENT

From  
Thiru. Sumesh Soman, I.F.S.,  
District Forest Officer,  
Villupuram Forest Division,  
Near Circuit House, Master plan  
Complex, Villupuram.

TC  
DGM(T) & Project Director,  
PIU - Chengalpattu. 600 073

C.No. 8673 /2023/L2. Dated. 21.11.2023

Sir,

INWARD
PIU - Chengalpattu
Date: 23/11/23
Dy.No. 2148
DM-T
LAO
PKAR (S.E)
P.VR (S.E)
P.RS (S.E)
V.KUM (S.E)
M.ASH (S.E)
A/c.
YHE

Sub : NHAI, PIU, Chengalpattu - (PKG-II) Four laning of Mugaiyur to marakkanam section of NH-332A from Km.31/000 to Km.62/000 (Design Chainage) under Bharatmala pariyojana Phase-1 (Feeder Routes) in the State of Tamil Nadu on Hybrid Annuity Mode - Compensatory Afforestation to wards felling of Mangroves For further action - Regarding.

Ref : 1. MoEF & CC F.No.11-17/2019-IA-III, dated: 23.10.2023

2. DGM (T) & Project Director, PIU - Chengalpattu.  
NHAI/11014/06/2022/PIU.CPT/1903 Dated.16.10.2023

\*\*\*\*\*

I state that in the 2<sup>nd</sup> Ref Cited, the project Director, (PIU) Chengalpattu requested to furnish the proposal towards compensatory afforestation and also the details of land identified for taking up of mangrove plantation in villupuram district.

In respect of Villupuram district, based on initial assessment by the Research Scientist, field staffs of Forest department and revenue officials the following lands are identified for mangrove plantation.

S.No	Name of the area
1	Kazhuveli Estuary Island
2	Thalangadu
3	Edayanthitu Island

But these identified land falls under the control of the Salt department, which comes under Ministry of commerce, Government of India, where no objection certificate is not given to raise the plantation by the department. Hence in respect of Villupuram District, there is no suitable land available for mangrove plantation and may be carried out in consultation with District Forest Officer, cuddalore

Yours Sincerely,  
Sd/- Sumesh soman,  
District Forest Officer,  
Villupuram Forest Division,  
Villupuram.

Copy to: The District Forest Officer, Cuddalore Division, Cuddalore.

//true copy/ by order//

Superintendent  
22/11/23

Home Page



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)  
**National Highways Authority of India**  
(Ministry of Road Transport and Highways, Government of India)  
परियोजना कार्यान्वयन इकाई - चेन्नलपट्टु Project Implementation Unit - Chengalpattu  
एच.वा.एम. 2/285, वेतल्लेरि - तारम मेडन रोड, सतोपपुरम, मेडवाक्कम, चेन्नलपट्टु जिला, तमिलनाडु - 600 073  
No. 41/8A, 2/285, Velachery - Tambaram Main Road, Sathosapuram,  
Medavakkam, Chennai, Chengalpattu District, Tamil Nadu - 600 073.  
दूरभाष/Phone : 91-44-2274 0156 ई-मेल/E-mail : pluchengalpattu@nhai.org



10<sup>th</sup> May 2024

NHAI/11014/17.L/2024/PIU.CPT/0887

To,

District Forest Officer,  
Cuddalore Forest District.  
Cuddalore District.  
Email: [dfocud@yahoo.com](mailto:dfocud@yahoo.com).

Sub: NHAI, PIU, Chengalpattu - (PKG - II) Four laning of Mugaiyur to Marakkanam Section of NH-332A from Km. 31/000 to Km. 62/000 (Design Chainage) under Bharatmala Pariyojana Phase - 1 (Feeder Routes) in the State of Tamil Nadu on Hybrid Annuity Mode - Compensatory Afforestation towards Felling of Mangroves - Reg.

- Ref: 1. MoEF&CC F. No. 11-17/2019-IA-III, dated. 23.10.2020.  
2. This office Lr. No. NHAI/11014/06/2022/PIU.CPT/1903, dt. 16.10.2023.  
3. DFO, Villupuram Office Lr. No. C. No. 8673/2023/L2 dated. 21.11.2023.

Sir,

This has reference to 4 laning of Mamallapuram to Puducherry section of NH-332A (ECR) taken up by NHAI under Bharatmala Pariyojana in the State of Tamil Nadu.

2. As a part of the same, the Authority have proposed alignment along the ECR by Widening & Strengthening / Re-alignment / Construction of New Green Field Bypass as per the standards & specifications of MoRT&H and IRC. It is also proposed to construct new bridges and widen existing bridges across Back Waters, other Water Bodies etc.

3. As the project passes through Coastal Regulation Zone, proposals were submitted to MoEF&CC through Tamil Nadu Coastal Zone Management Authority. While submitting the detailed reports to TNSCZMA for obtaining CRZ clearances, a detailed report on Mangrove Conservation & Management Plan including Mangrove Afforestation Plan was proposed and copy of the same is enclosed herewith for your kind perusal.



# 3. National Highways Authority of India

4. MoEF&CC vide Letter No. 11-17/2019-IA-III, dated. 23.10.2020 issued CRZ clearance for the project from Mugaiyur to Marakkanam section passing through Chengalpattu (Erstwhile Kancheepuram) & Villupuram Districts. The Ministry while according clearances specified certain conditions to be fulfilled during execution of the project, which include five times the number of mangroves destroyed or cut during the construction process shall be replanted as compensatory mangrove afforestation in consultation with Forest Department.


5. The project achieved Appointed Date on 07.12.2023, as a part of widening construction of new bridge parallel to existing bridge near Marakkanam across Back Waters has been taken up. The existing Mangrove plantation of about 181 Nos approximately is getting affected. (Site photographs are enclosed).

6. Earlier, NHAI approached DFO, Villupuram for proposals towards Compensatory Afforestation of Mangrove Plants. In reply to this office letter vide reference 2<sup>nd</sup> cited, DFO Villupuram vide reference 3<sup>rd</sup> cited informed that *"there is no suitable land available for mangrove plantation in Villupuram District and may be carried out in consultation with DFO, Cuddalore"*.

In view of the above, it is requested (i) to provide details of land identified for taking up of 05 times Compensatory Mangrove Afforestation and (ii) to furnish proposals along with Cost Estimates for further necessary action, please.

Yours faithfully,

Encl.: As above.

  
(M. S. Chaithanya)  
Project Director.

Copy to:

1. The Regional Officer, NHAI, Chennai - For kind information.
2. DFO, Villupuram - For kind information.
3. DFO, Kancheepuram - For kind information.

4

**TAMIL NADU FOREST DEPARTMENT**

From

**Thiru.S.Gurusamy, I.F.S.,**  
District Forest Officer,  
Cuddalore Forest Division,  
Old Collector's Office,  
1<sup>st</sup> Floor,  
Cuddalore - 607 001.

To

**Project Director,**  
National Highways Authority of India,  
Chengalpet Division,  
Tamil Nadu.

**Ref.No. 3000/2024/D, Dated: 05.07.2024.**

Sir,

**Sub:** CRZ Clearance for four/six/eight laning of Mugaiyur to Marakkanam Section of NH-332A from 31,000 km to 62,000 km under Bharatmala Pariyojana, Phase I (Package-II) in Villupuram & Kancheepuram District, Tamil Nadu - regarding.

**Ref:** Government of India, MOEF & CC F.No. 11-17/2019-IA-III (IA.III Section) dated 23.10.2020.

\* \* \* \* \*

I submit that on perusal to the reference cited above of CRZ Clearance (copy enclosed), I wish to state that while according CRZ clearance for the above project falls within the Villupuram circle jurisdiction at Km. 54.400 to Km. 55.600 (Location: Creek Near Marakkanam) it was emphasized with the area proposed for Mangrove Plantation to an extent of 11.32 Ha towards planting of 75,000 numbers with the estimated cost of Rs. 1.97 Crore (including maintenance) have been accepted as per recommendation of the Expert Appraisal Committee (CRZ). The above Mangrove restoration project finds place at Sl.no. 3 of table: Additional Mangroves Plantation details at Page no. 3 in the reference cited.

6  
5

In this regard, I wish to state that as part of the mangrove's restoration project as per above CRZ Clearance we have identified an area to an extent of 12 Ha in Cuddalore division, Pitchavaram mangrove areas and we would like to take up this plantation activity within this financial year.

Therefore, you are requested to contribute an amount of Rs. 1.97 Crore towards planting of 75,000 no of mangrove seedlings for restoration of the mangroves in this particular area. The following are the details of the bank remittance.

Name of the Account : District Forest Officer  
Name of the Bank : SBI, Manjakuppam  
Account No : 32373507291  
IFC Coad : SBIN0004891

Encl: As stated above.

Yours Sincerely,

District Forest Officer,  
Cuddalore Division,  
Cuddalore.  
01/07/24

Copy submitted to the Principal Chief Conservator of Forests (Head of Forest Force), Chennai.

Copy submitted to Chairman, Tamil Nadu Coastal Zone Management Authority, Environment & Forests Department (EC-3), Government of Tamil Nadu, Secretariat, Chennai- 600 009.

Copy submitted to Member Secretary, Tamil Nadu Coastal Zone Management Authority, Department of Environment, No.1, Jeenis Road, Panagal Building, Ground Floor, Saidapet, Chennai-600 015.

Copy submitted to: M/s National Highways Authority of India, Sri Towers 3<sup>rd</sup> Floor, DP 34 South Phase, Industrial Estate, Guindy, Chennai - 600 032.

Copy submitted to Chief Conservator of Forests, Villupuram Circle.





भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)  
**National Highways Authority of India**

(Ministry of Road Transport and Highways, Government of India)  
परियोजना कार्यान्वयन इकाई - चेंगलपट्टु Project Implementation Unit - Chengalpattu  
No. 41/BA, 2/285, वेल्चेरी - ताम्बरम मेदन रोड, संतोषपुरम, मेडवाक्कम, चेंगलपट्टु जिला, तमिलनाडु - 600 073  
No. 41/BA, 2/285, Velachery - Tambaram Main Road, Santhosapuram,  
Medavakkam, Chennai, Chengalpattu District, Tamil Nadu - 600 073.  
दूरभाष/Phone : 044-2278 0159 ई-मेल/E-mail : pluchengalpattu@nhai.org



Top Priority

NGT Matter

23<sup>rd</sup> August 2024

NHAI/11022/04/2023/PIU.CPT/1573

To,

M/s. LEA Associates South Asia Pvt Ltd,  
No. 952/15, Santhaithoppu Street,  
Marakkanam, Villupuram District.  
Email: [lasamarakkanam@lasaindia.com](mailto:lasamarakkanam@lasaindia.com).

Sub: NHAI, PIU, Chengalpattu - Four Laning of Mugaiyur to Marakkanam Section of NH-332A from Km 31+000 to Km 62+000 (Design Chainage) under Bharatmala Pariyojana Phase-1 (Feeder Routes) on HAM mode in the state of Tamil Nadu - Directions of NGT Order Dated 22.08.2024 in respect of O.A. No. 106 of 2024 - Reg.

- Ref: 1. This Office Lr. No. NHAI/11014/33/2022/PIU.CPT/1188, dt. 01.07.2024.  
2. M/s. LEA Associates South Asia Pvt., Ltd., Letter No. LASA/73863/MM\_TN/CON/2024/105, dated. 09.07.2024.  
3. This Office Lr. No. NHAI/11014/33/2022/PIU.CPT/1381, dt. 26.07.2024.  
4. NGT Orders dated. 22.08.2024.


Sir,

With reference to the deviations in construction of Cofferdam in Odaiyur Lake back waters, please find enclosed herewith NGT Order dated. 22.08.2024 in respect of O.A. No. 106 of 2024 (SZ).

Independent Engineer is once again requested to strict compliance to the approved methodology, please.

Yours faithfully,

Encl.: As above.

  
(M. S. Chaithanya)  
Project Director.

Copy to:

1. Regional Officer, NHAI, Chennai - For kind information.
2. M/s. SPL ECR Highways Pvt., Ltd.



BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

Thursday the 22<sup>nd</sup> of August, 2024

Original Application No. 106 of 2024 (SZ)  
(Through Video Conference)

IN THE MATTER OF

**K. Saravanan,**  
Son of Kasinathan,  
Aged about 37 years  
No. 30, Ururkuppam, Besant Nagar,  
Chennai-90.



Versus  
सत्यमेव जयते

1. **The Tamil Nadu Coastal Zone Management Authority,**  
Rep/its Member Secretary,  
No.1, Jeeni's Road, Panagal Building,  
Ground Floor, Saidapet,  
Chennai- 600 015.

2. **The National Highways Authority of India**  
Rep/ by its Project Director,  
Sri Balaji Towers, 54-28, Butt rd, near Kathipara Junction,  
South Phase, SP Industrial area, ParangiMalai,  
Guindy, Chennai- 600 016.

For Applicant(s):

Mr. Yogeshwaran.

For Respondent(s):

Dr. D. Shanmuganathan for R1

Mrs. S.R. Sumathy for R2

Judgment Reserved on: 7<sup>th</sup> August, 2024

CORAM:

HON'BLE SMT. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE DR. SATYAGOPAL KORLAPATI, EXPERT MEMBER

**JUDGMENT**  
Delivered by Smt. Justice Pushpa Sathyanarayana, Judicial Member

1. This applicant who belongs to a fishing community has filed the above application seeking a direction to the 2<sup>nd</sup> respondent, which is the National Highways Authority of India (NHAI) to remove all the soil and other materials dumped inside the Odiyur lagoon and

INWARD		
NHAI, PIU-Chengalpattu		
Dy.No.	63/2	Date: 23.8.2024
PD	to SE for strict compliance	
DM-T	PA	LAO
P.KAR (S.E)	P.VR (S.E)	P.RS (S.E)
V.KIIM (S.FIM)	ASH(S.E)	AC

J

restore the area to its original condition and direct the respondent not to lay any road/highway in the Odiyur lagoon.

2. The Odiyur/Cheyyur Lagoon is about 10 km long and 05 km wide, shallow waters with average depth of 50 cm. It has a number of small fresh water canals flowing into it from the irrigation tanks, agricultural lands and catchment areas. The 2<sup>nd</sup> respondent, NHAI, is in the process of making the existing 02 lane East Coast Road (ECR) into a 04 lane highway.

3. Now the concern of the applicant is regarding the illegal project work inside the Odiyur lagoon. It is stated that quarried sand is being dumped inside the lagoon after the existing bridge on the ECR across the lagoon. JCBs were employed and road is being formed. It was reported that the said activity is for ECR project. The area where the soil is dumped falls in CRZ IB and CRZ IVB according to approved CZMP. Therefore any filling of CRZ area is a prohibited activity. The Odiyur lagoon being a wet land and an important bird area such filling of the lagoon for widening of the road will be a prohibited activity disturbing the bird life.

4. Upon notice, the 2<sup>nd</sup> respondent, NHAI, had filed a status report dated 05.04.2024. It is stated that the present project undertaken by NHAI is of national importance connecting the coastal region of Tamil Nadu and Puducherry. There is 02 lane bridge existing to a length of 240 mts across Odiyur lake connecting Paramenkeni and Mudaliyarkuppam villages in Cheyyur taluk. The approach road to the major bridge are on a 'S' curve with radius of 270 mts. For improving the geometrics at highway, it is proposed to construct a

9

new bridge of 490 mts in the re-alignment to improve the geometrics of approaches to meet with design speed requirements of 100km/hr.

5. The present bridge location was identified based on the various surveys and field inspections conducted by the 2<sup>nd</sup> respondent. Based on the final approved alignment, the project passes through the various coastal regulation zones including No. Developmental Zone.

6. Based on the certified maps, the DPR consultant had furnished the necessary reports for obtaining CRZ clearances. The Tamil Nadu Coastal Zone Management Authority (TNCZMA) vide letter dated 26.06.2019 recommended the proposal to the MoEF&CC recommending the project with specific conditions besides general conditions. Based on the CRZ clearances, the NHAI has taken up the project of 04 laning of project from Mugaiyur to Marakkanam under HAM mode.

7. The NHAI had given an undertaking in O.A. No. 05 of 2023 which reads as follows:

"NHAI will shift the project stretch towards the Left Hand side (LHS) i.e. on the opposite side of Odaiyur Lake. The existing 02 lane road of 07 mtrs is proposed to utilise for RHS carriageway i.e. for the traffic from Puduchery to Chennai side. It is also proposed to provide additional width of 1.5 mtrs paved shoulder and 02 mtrs earthen shoulder to maintain uniformity with LHS carriageway. In view of the above arrangement there will not be any infringement of the road within the lake area. The change in alignment is provided as follows:

- The realignment of bridge portion in Paramenkeni was proposed for improving poor geometrics due to „ S“ Curve to ensure safety of road users.
- Alignment was proposed to widen towards LHS i.e., on opposite side of Odaiyur Lake.
- A continuous retaining wall of 01 km length is proposed to avoid infringement with lake area.
- Proposed Right of Way (PROW) stone pillars are installed along the approved alignment as per the lands notified under the provisions of

10

NH Act, 1956. As per the approved alignment, the project passed along existing Odaiyur Lake from Km.38+400 for a length of 01 km. Accordingly, Hon'ble Tribunal disposed the application on 24.07.2023."

8. Admittedly, the construction of the bridge is in CRZ IVB zone which is an intertidal zone. Therefore, the construction of the cofferdam is very much essential to avoid flowing of water into foundation area during high tide conditions. This is also the method internationally adopted during construction of bridges across the water bodies. The cofferdam was proposed in two stages for half width of Odaiyur lake instead of entire width at single stage to ensure free flow of natural tidal water. The earthen material being used for construction of cofferdam will be removed one month after completion of major bridge construction as specified by CZMA, MoEF&CC under the specific conditions.

9. In the 2<sup>nd</sup> status report dated 06.08.2024, the 2<sup>nd</sup> respondent has stated that during the construction, concessionaire had constructed more length of cofferdam without keeping up the assurance given by NHAI before this Tribunal. The additional affidavit filed by the applicant on 01.07.2024 pointed out the same and the influence on the tidal exchange which has become restricted.

10. The NHAI has stated that the length of the opening left by the Concessionaire is not sufficient and the methodology concurred by Independent Engineer (IE) is not in line with the discussions during the review meetings. However, instructions have been given to the Concessionaire for immediate removal of cofferdam of the additional length and also a show cause notice has been issued to team leader of the Independent Engineer.

11. In compliance of the direction issued on 02.07.2024, the NHAI directed Independent Engineer for the project to take necessary action for the removal of excess cofferdam constructed. Accordingly, the concessionaire has commenced removal activities on 01.07.2024 and the entire length of additional cofferdam beyond half of the width is removed by 12.07.2024. The NHAI has also produced photographs to evidence the same.

12. The Learned Counsel appearing for the applicant also agreed with the report and the photographs.

13. As the prayer in the Original Application is satisfied, the same is closed. However, we make it clear that these kind of activities though it is for the public interest, may prove destructive to the marine habitants and make it useless for the biological activities.

14. Therefore, we direct the NHAI to take care of the sea grass beds, intertidal mudflats etc. and preserve as much as possible the lagoon to its original shape.

15. In view of the above, the OA No. 106 of 2024 is disposed of.

**NGT**

.....J.M.  
(Smt. Justice Pushpa Sathyanarayana)

.....E.M.  
(Dr. Satyagopal Korlapati)

Internet - Yes/No  
All India NGT Reporter - Yes/No

O.A. No.106/2024(SZ)  
22nd August, 2024.(AM)

12

Before the National Green  
Tribunal  
Southern Zone (Chennai)

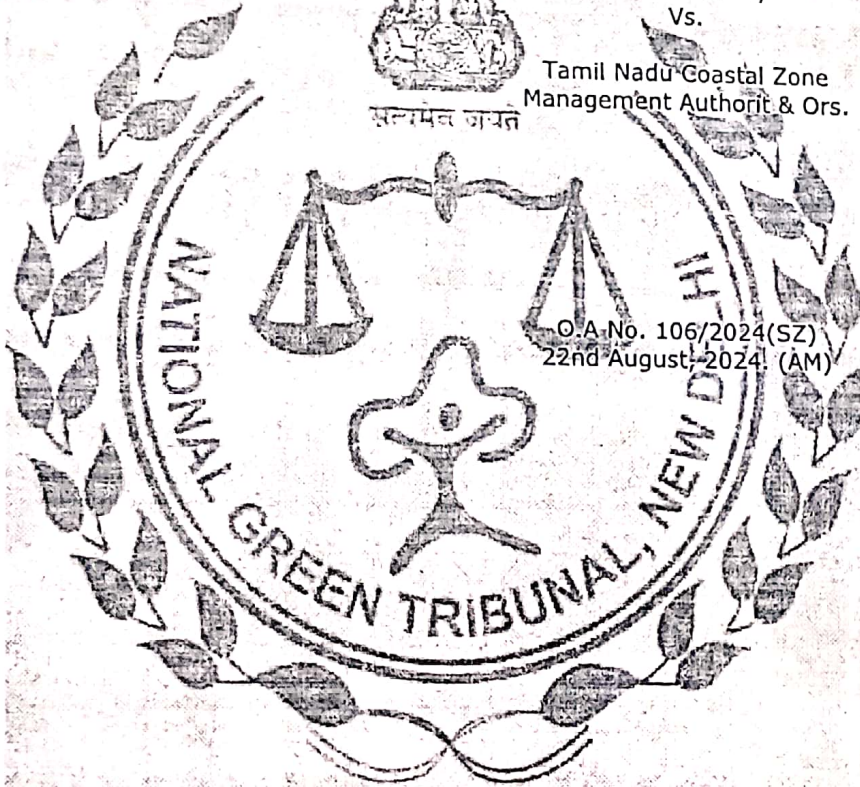
O.A. No. 106 of 2024 (SZ)



सत्यमेव जयते

K. Saravanan,  
Vs.

Tamil Nadu Coastal Zone  
Management Authority & Ors.



**NGT**

13

Item No.19:-

BEFORE THE NATIONAL GREEN TRIBUNAL  
SOUTHERN ZONE, CHENNAI

(Through Video Conference)

Original Application No.106 of 2024 (SZ)

IN THE MATTER OF:

K. Saravanan,  
Chennai.

...Applicant(s)

Tamil Nadu Coastal Zone Management Authority  
Rep. by its Member Secretary  
Chennai and Anr.

...Respondent(s)

Date of hearing: 07.08.2024



CORAM:

HON'BLE Smt. JUSTICE PUSHPA SATHYANARAYANA, JUDICIAL MEMBER

HON'BLE Dr. SATYAGOPAL KORLAPATI, EXPERT MEMBER

For Applicant(s): Mr. A. Yogeshwaran.

For Respondent(s): Dr. D. Shanmuganathan for R1.  
Mrs. S.R. Sumathy for R2.

ORDER

1. Heard the learned counsels. Judgement Reserved.

Sd/-  
Smt. Justice Pushpa Sathyanarayana, JM

Sd/-  
Dr. Satyagopal Korlapati, EM

O.A. No.106/2024 (SZ)  
07<sup>th</sup> August, 2024. AD.





No. LAA/7/RRG/MM/TN/CON/2024/531

LEA Associates South Asia Pvt. Ltd.

85/16, Souththoppe Street,

Marakkanam,

Villupuram-064,

Email: lasamarakkanam@leainfra.com

Corporate Office: info@leainfra.com

info.nh332a@spinfra.com

To

The Authorized Signatory,  
M/S. SPT ECR Highway Private Limited,  
No-24, 1<sup>st</sup> Floor, Crescent Park Street,  
Chennai - 600 017, Tamil Nadu.

**Subject:** Four Laning of Mugalyur to Marakkanam section of NH-332A from Km 31.000 to Km. 62.000 (Design Chainage) under Bharatmala Parlojana Phase-I (Feeder Routes) on Hybrid Annully Mode in the State of Tamil Nadu (Package-II of Mahabalipuram Puducherry section) - Observation on revised construction schedule & methodology for Major Bridge @55+350- regarding.

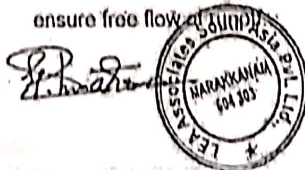
**Ref:** 1. Concession Agreement Dated: 11.05.2022  
2. SEHPU/NH-332A/MM/P2/PMO/514 dated.18.08.2024

Dear Sir,

This is with reference to the letter dated 18.08.2024 under reference (2) cited above regarding submission of detailed methodology for construction of Major Bridge at km. 55+350 and subsequent discussions and submission of supplementary details from your end required to bring the methodology in complete shape. The same had been reviewed and principally found in order.

However, Concessionaire has to comply with the following and other necessary prevailing codal provisions, WRD & CRZ clearance terms & conditions and standard industrial engineering practices when taking up construction of the Major Bridge works at site.

- i. Cofferdam provided should be as per the methodology submitted and shall be removed before onset of monsoon season, especially North East monsoon.
- ii. Cofferdam should be removed completely and the river / water course bed should be restored to its original position as before taking up the construction works.
- iii. Quantity of earth removed from the water course / canal for providing raft foundation, beam, pile cap should be utilized only for strengthening of backwater bund as directed by the Departmental Engineers of Water Resources Department at own cost and removed soil should not be taken away at any point of time.
- iv. Construction waste accumulated during execution of the Bridge should be cleared to ensure free flow.



Page 1 of 2

CANADA | INDIA | ASIA | AFRICA | MIDDLE EAST



- 16
- v. The structures constructed inside the backwaters should not be hindrance to the movement of machinery and for carrying out any maintenance works in the backwaters wherever necessary.
  - vi. Construction waste or any other debris should not be deposited in the backwaters.
  - vii. The linear waterway should not be obstructed by way of embankment structures.
  - viii. Advance intimation should be given to WRD officials concerned before commencement of work.
  - ix. After completion of work, the damaged portion of the backwaters area if any found should be set right and restored to the original condition.
  - x. There will not be any unwarranted drainage congestion in the upstream or downstream of the bridge.
  - xi. Work should generally be kept suspended during monsoon season and temporary obstructions from the river / canal shall be totally removed before monsoon.
  - xii. All safety measures should be taken without fail.
  - xiii. Proper watch and ward to be engaged so as to avoid any untoward incident up to completion of work and should not encroach the backwaters in the form of sheds during and after execution of bridge.
  - xiv. The bridge shall not be opened to traffic till final inspection by the Water Resources Department officials.

This is for your information, records & further necessary action.

Yours Sincerely,  
For LEA Associates South Asia Pvt. Ltd.,

  
(Gurumurthy Venkataraman)  
Team Leader cum Senior Highway Engineer



Copy forwarded to the following for information, please:

1. The Project Director PIU, NHA – Chengalpattu, Email: [piuchengalpattu@nha.org](mailto:piuchengalpattu@nha.org),  
[chengalpattupi@gmail.com](mailto:chengalpattupi@gmail.com)
2. The Independent Engineer, LEA Associates South Asia Pvt. Ltd., New Delhi



LEA Associates South Asia Pvt. Ltd.  
95/716, Sreeharshappa Street,  
Marakkannam, Villupuram District,  
Tamil Nadu, Pin Code - 604103  
Email: lasamarakkannam@leasouthasia.com, www.lea.ca  
Corporate Identification Number: U74899DL1993PTC055750

No: LASA73863/MM\_TN/CON/2024/539

Date: 04.07.2024  
Email: info@splecrhighway.com  
info.nh332a@splinfra.com

To

The Authorized Signatory,  
M/S SPLECR Highway Private Limited,  
No-24, 1<sup>st</sup> Floor, Crescent Park Street,  
Chennai - 600 017, Tamil Nadu.

**Subject:** Four Lining of Mugaiyur to Marakkannam section of NH-332A from Km 31,000 to Km. 62,000 (Design Chainage) under Bharatmala Paanyojana Phase-I (Freeder Routes) on HAM in the State of Tamil Nadu (Package-II of Mahabalipuram Puduchery section) - Violation of approved methodology in constructing the Major Bridge at km. 55+350 -Regarding

Ref::

1. Concession Agreement Dated 11.05.2022.
2. EE/ABD/F.9/2023 dt. 16.08.2023
3. NHAI/1014/02023/PIU.CPT/1635 dt. 30.08.2023
4. SEHPL/NH-332A/MM/P2/PMO/245 dt. 25.12.2023
5. SEHPL/NH-332A/MM/P2/PMO/514 dt. 18.06.2024
6. Our Lr. No. LASA73863/MM\_TN/CON/2024/531 dt. 25.06.2024

Sir,

This is in continuation to the letter dated 25.06.2024 under reference (2) cited above regarding concurrence of detailed methodology for the Major Bridge at km. 55+350.

Unpleen number of times it is advised to execute the works as per the detailed methodology submitted by you and concurred after reviewing the same.

Apart from the methodology, you also had assured WRD that initially 50% of the length across the waterway only will be taken up. Once construction work is completed in the 50% length, then the balance length will be taken up vide letter dated 25.12.2023 under reference (4) cited above, WRD also gave consent to the GAD submitted to them based on certain assurances, terms and conditions which is well known to you.

But, to our dismay, during our routine site inspection it is noticed that your work execution is not as per the concurred methodology and in violation of your own assurance given to WRD.



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Therefore, it is instructed to immediately remove the additional length of cofferdam constructed across the Major Bridge at km. 55+350 beyond your assurance as well as concurred methodology and submit a compliance report to this office for our records. Non-compliance of this instruction will be viewed seriously and IE will be forced to take appropriate action as per the provision of the Concession Agreement.

This is for your information and immediate necessary action.

Yours Sincerely,  
For LEA Associates South Asia Pvt. Ltd.,

  
(Gurumurthy Venkataraman)  
Team Leader cum Senior Highway Engineer



Encl: Photos showing the soil, dismantled debris lying in the water body

Copy forwarded to the following for information, please:

1. The Project Director PIU, NHAI – Chengalpattu. Email: [piuchengalpattu@nhai.org](mailto:piuchengalpattu@nhai.org),
2. The Independent Engineer, LEA Associates South Asia Pvt. Ltd., New Delhi.



LEA Associates South Asia Pvt. Ltd.  
957/16, Santhaihoppu Street,  
Marakkanam, Villupuram District,  
Tamil Nadu, Pin Code - 604303  
Email: lasamarakkanam@lasaindia.com, www.lea.ca  
Corporate Identification Number: U74899DL1993PTC055750

No: LASA/73863/MM\_TN/CON/2024/566

Date: 15.07.2024

Email: info@splecrhighway.com  
info.nh332a@splinfra.com

To:

The Authorized Signatory,  
M/S SPLECR Highway Private Limited,  
No-24, 1<sup>st</sup> Floor, Crescent Park Street,  
Chennai - 600 017, Tamil Nadu.

**Subject:** Four Lining of Mugaiyur to Marakkanam section of NH-332A from Km 31.000 to Km. 62.000 (Design Chainage) under Bharatmala Pariyojana Phase-I (Feeder Routes) on HAM in the State of Tamil Nadu (Package-II of Mahabalipuram Puduchery section) - Violation of approved methodology in constructing the Major Bridge at km. 55+350 - Regarding

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  5. SEHPL/NH-332A/MM/P2/PMO/514 dt. 18.06.2024
  6. Our Lr. No. LASA/73863/MM\_TN/CON/2024/531 dt. 25.06.2024
  7. Our Lr. No. LASA/73863/MM\_TN/CON/2024/539 dt. 04.07.2024
  8. SEHPL/NH-332A/MM/P2/PMO/618 dt. 12.07.2024

Sir,

This is in response to the letter dated 12.07.2024 under reference (8) cited above regarding violation of construction methodology for the Major Bridge at km. 55+350

It is to disagree with your statement that the methodology concurred is by constructing cofferdam from both ends to facilitate the progress. The concurred methodology is for 50% of the length to be taken up initially from A1 to P5 from 07.12.2023 to 31.12.2024 and after completing the works in those locations, P6 to A2 will be taken up from 01.01.2025 to 06.09.2025 as submitted by you vide letter dated 17.05.2024 and concurred by letter dated 25.06.2024. But, you have kept on constructing the cofferdam beyond this and created more blockages to the free flow of water beyond the agreed one as per the methodology. At present one span is kept open for navigation of boats and single row 1200 mm dia hume pipes have been laid in the spans from P6 to P10 at site which is in violation of the concurred methodology and your initial assurance while obtaining approval of GAD for the bridge.


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Therefore, your proposal for construction of cofferdam in the extended portion beyond the concurred length is not acceptable and instructed to clear the additional length of cofferdam already constructed immediately.

After removal of the additional length of cofferdam immediately submit a compliance report for our record and onward submission. Non-compliance of this instruction will be viewed seriously and IE will be forced to take appropriate action as per the provision of the Concession Agreement.

This is for your information and immediate necessary action.

Yours Sincerely,

For LEA Associates South Asia Pvt. Ltd.,



(Gurumurthy Venkataraman)

Team Leader cum Senior Highway Engineer

Copy forwarded to the following for information, please:

1. The Project Director PIU, NHAI - Chengalpattu. Email: [piuchengalpattu@nhai.org](mailto:piuchengalpattu@nhai.org).
2. The Independent Engineer, LEA Associates South Asia Pvt. Ltd., New Delhi.



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952/16, Santhalkhoppu Street,  
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Tamil Nadu. Pin Code - 604303  
Email: lasamarakkanam@lasaindia.com, www.lea.ca  
Corporate Identification Number: U74899DL1993PTC055750

No: LASA/73863/MM\_TN/CON/2024/615

Date: 07.08.2024  
Email: info@splecrhighway.com  
info.nh332a@splinfra.com

To

The Authorized Signatory,  
M/S SPL ECR Highway Private Limited,  
No-24, 1<sup>st</sup> Floor, Crescent Park Street,  
Chennai – 600 017, Tamil Nadu.

Subject: Four Laning of Mugaiyur to Marakkanam section of NH-332A from Km 31.000 to Km. 62.000 (Design Chainage) under Bharatmala Pariyojana Phase-I (Feeder Routes) on HAM in the State of Tamil Nadu (Package-II of Mahabalipuram Puduchery section) – Violation of approved methodology in constructing the Major Bridge at km. 55+350 – Regarding

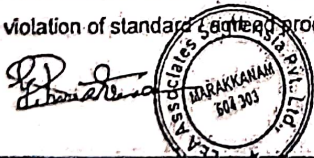
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8. SEHPL/NH-332A/MM/P2/PMO/618 dt. 12.07.2024  
9. Our Lr. No. LASA/73863/MM\_TN/CON/2024/566 dt. 15.07.2024  
10. SEHPL/NH-332A/MM/P2/PMO/653 dt. 30.07.2023

Sir,

This is in response to the letter dated 30.07.2024 under reference (10) cited above regarding site inspection of Executive Engineer, WRD, Villupuram on Concessionaire's request for assessing the current situation of the cofferdam constructed along entire length of the waterway in Major Bridge at km. 55+350 by violating the concurred construction methodology and assurance given during obtaining approval of GAD for the Major Bridge at km. 55+350.

The issues are as stated below:

First of all, all the interdepartmental issues are supposed to be routed through IE / Authority only and Concessionaire is following this in case of obtaining Major / Minor Bridge GAD approvals, Borrow Area approval, Labour License, etc. but took up this issue directly to WRD on their own is a violation of standard bidding process.



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EE - WRD after inspection had not given clean chit for the construction methodology, revised by the Concessionaire on their own, by constructing the cofferdam for full length. EE-WRD states in the inspection report that 'for considering discharge of water due to tidal variation, the available open arrangements are sufficient to meet the river flow and in forthcoming monsoon tide variation, the available arrangements are not sufficient. Hence, it is requested to do the necessary future opening arrangements to free flow of water with respect to tide variation before onset of monsoon'

Also stated that 'further heavy excavating machines of more numbers should be kept at site for emergency'

In this context, it is to state that the heavy / North East monsoon normally starts in September end / October beginning which means the time gap left out is hardly about a month. Within this time Concessionaire has to comply with the terms and conditions based on which permission for taking up the construction has been granted by them as well as the conditions put forth by WRD as per the above referred inspection notes. Therefore, Concessionaire is advised to commence the activities in line with the terms and conditions immediately.

On the other hand, if Concessionaire wants to proceed with different methodology other than that submitted by them and concurred by IE; they should have submitted the revised methodology and obtained necessary concurrence from all concerned before proceeding with the works at site. But, irrespective of objections raised for continuation of works beyond the concurred methodology, Concessionaire has continued the works as per their own will and wish is not acceptable.

Therefore, it is instructed to immediately clear the cofferdam constructed in the extended portion beyond the concurred length (from A1 to P5) in violation of the concurred methodology and their own assurance given to WRD through NHA is not acceptable.

Therefore, the works executed beyond A1 to P5 in the Major Bridge at km. 55+350 will not be considered for measurement / payment in the forthcoming claims unless you immediately stop violation of the concurred methodology by removing the excess length of cofferdam constructed in Major Bridge at km. 55+350 immediately.


After removal of the additional length of cofferdam, Concessionaire is advised to submit a compliance report for IE's record and onward submission to NHAI. Non-compliance of this instruction will be viewed seriously and IE will be forced to take action (recommend to the Authority) as per Clause 13.5 of Concession Agreement for suspension of the works under debate till completion of the works from A1 to P5 and clear the waterway in that portion.

This is for your information and immediate necessary action.

Yours Sincerely,  
For LEA Associates South Asia Pvt. Ltd.,


(Gurumurthy Venkataraman)  
Team Leader cum Senior Highway Engineer

Copy forwarded to the following for information, please:

1. The Project Director PIU, NHAI – Chengalpattu, Email: [piuchengalpattu@nhai.org](mailto:piuchengalpattu@nhai.org).
2. The Independent Engineer, LEA Associates South Asia Pvt. Ltd., New Delhi.



28

LEA Associates South Asia Pvt. Ltd.  
952/16, Santhathoppu Street,  
Marakkanam, Villupuram District,  
Tamil Nadu. Pin Code - 604303  
Email: lasamarakkanam@lasaindia.com, www.lea.in  
Corporate Identification Number: U74899DL1993PTC055750

No: LASA/73863/MM\_TN/CON/2024/623

Date: 12.08.2024

Email: info@spiecrhighway.com;  
info.nh332a@splinfra.com

To

The Authorized Signatory,  
M/S SPL ECR Highway Private Limited,  
No-24, 1<sup>st</sup> Floor, Crescent Park Street,  
Chennai - 600 017, Tamil Nadu.

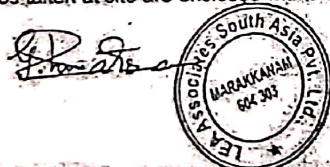
**Subject:** Four Laning of Mugaiyur to Marakkanam section of NH-332A from Km 31.000 to Km. 62.000 (Design Chainage) under Bharatmala Pariyojana Phase-I (Feeder Routes) on HAM in the State of Tamil Nadu (Package-II of Mahabalipuram Puduchery section) - Status of water flow over cofferdam constructed in Major Bridge at km. 55+350 - Regarding

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  6. Our Lr. No. LASA/73863/MM\_TN/CON/2024/531 dt. 25.06.2024
  7. Our Lr. No. LASA/73863/MM\_TN/CON/2024/539 dt. 04.07.2024
  8. SEHPL/NH-332A/MM/P2/PMO/618 dt. 12.07.2024
  9. Our Lr. No. LASA/73863/MM\_TN/CON/2024/566 dt. 15.07.2024
  10. SEHPL/NH-332A/MM/P2/PMO/653 dt. 30.07.2024
  11. Our Lr. No. LASA/73863/MM\_TN/CON/2024/615 dt. 07.08.2024

Sir,

This is in continuation to the letter dated 07.08.2024 under reference (11) cited above regarding violation of approved methodology in constructing the Major Bridge at km. 55+350 and instruction to remove the excess length of cofferdam constructed at site from A1 to P5 in violation of the concurred methodology and Concessionaire's own assurance given to WRD through NHAI.

It is to state that due to heavy rains in the upstream side / catchment area of the Major Bridge at km. 55+350 in last few days, there was a huge water flow in the water body which resulted submergence of the cofferdam constructed almost throughout the length of the bridge and raise in water level. Even though RCC hump pipes are laid in some of the spans, it is not sufficient to allow the water flow to cross the cofferdam and hence water is flowing over the cofferdams. Photos taken at site are enclosed with this letter for reference and records.



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It was observed that Concessionaire is removing the cofferdam constructed in the span P10-A2 by means of an excavator. Further to this, the staging and shuttering materials, etc. kept at site for using in the works are also being removed to safeguard them. And it was informed / assured that further more spans also will be opened by removing the cofferdam already constructed in violation of the concurred methodology.

IE is of the opinion that this situation would not have been aised if cofferdam would have been constructed only for the half of the waterway length as per the concurred methodology.

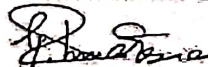
It is to state that as per the terms and conditions under which WRD had given clearance for the GAD and permission to take up the bridge construction works, the entire length of the cofferdam should be removed on or before the North East monsoon at least which is not very far. Therefore, Concessionaire is instructed to remove the cofferdam constructed and to pave way for free flow of water in the waterway without any obstruction.

It is to put in record that there will be good rains in Tamil Nadu for further 3 to 4 days as per the weathermen's prediction. Due to this, there will be further increase in water flow in the waterway. It is observed that only one excavator is being used for removal of the obstructing cofferdam. In this context, it is advised to use more number of excavators so that the possibility of further increase in water level in the construction site as well as in the villages in the upstream side of the water course may be avoided.

After removal of the cofferdam, Concessionaire is advised to submit a compliance report for IE's record and onward submission to NHAI.

This is for your information and immediate necessary action.

Yours Sincerely,  
For LEA Associates South Asia Pvt. Ltd.,



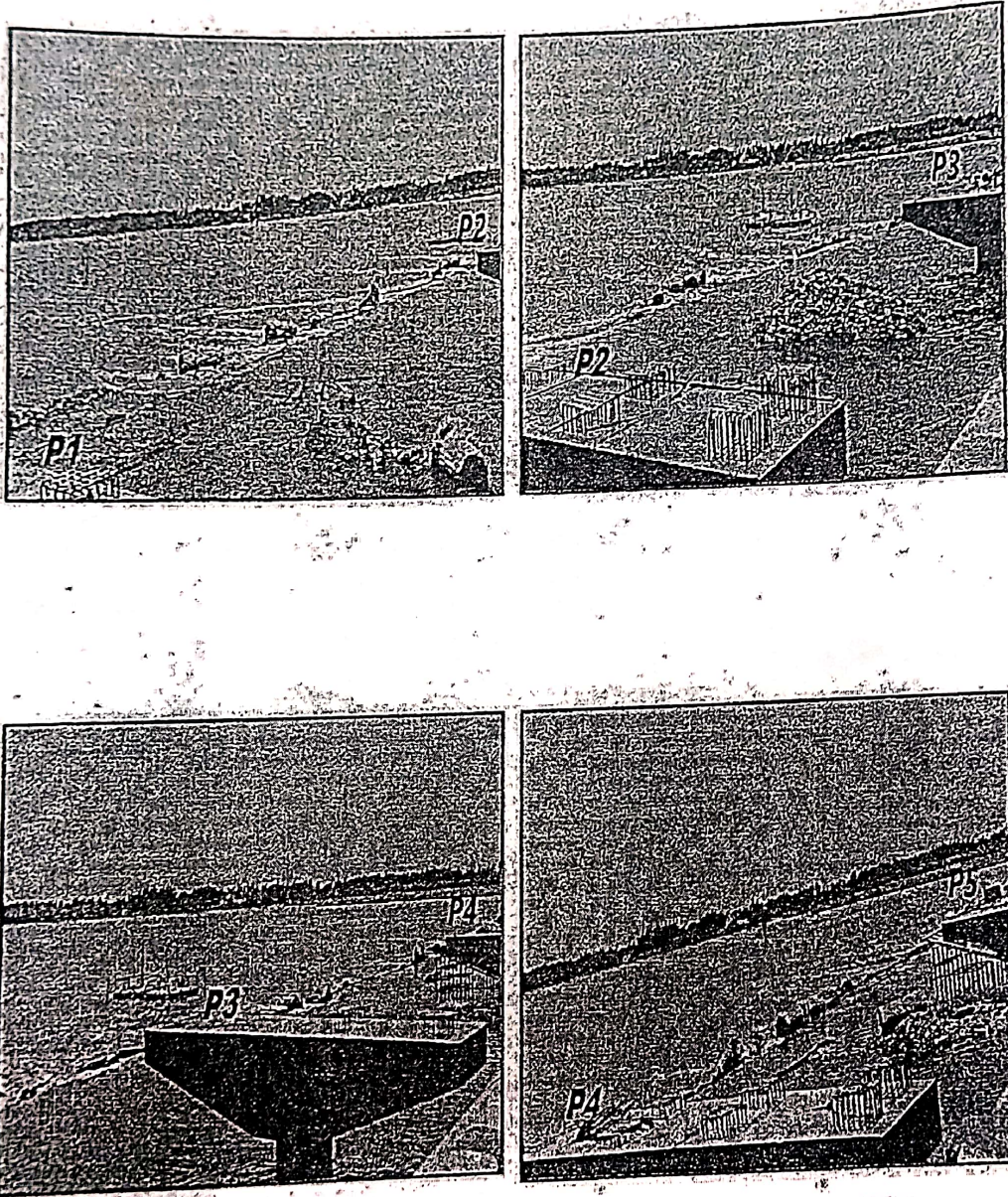
(Gurumurthy Venkataraman)  
Team Leader cum Senior Highway Engineer

Encl: Site photos showing the status of water flow across the Major Bridge.

Copy forwarded to the following for information, please:

1. The Project Director PIU, NHAI - Chengalpattu, Email: [piuchengalpattu@nhai.org](mailto:piuchengalpattu@nhai.org),
2. The Independent Engineer, LEA Associates South Asia Pvt. Ltd., New Delhi.

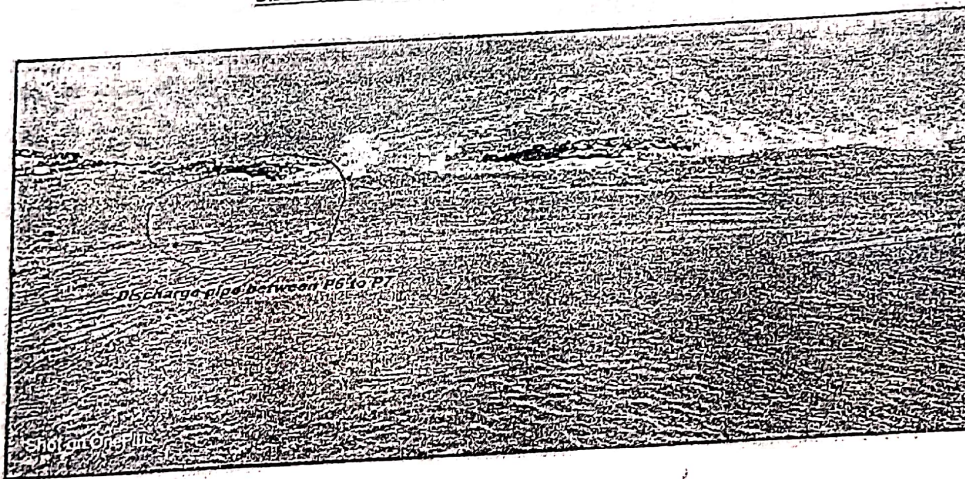
Cofferdam Damage due to Flood at MJB-55+350 from Span P1 to P7 and blocking of rain water in between v-drain of Box culverts



Discharge pipe between P7 to P8 at MJB-55+350



Discharge pipe between at P6 to P7 at MJB-55+350





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LEA Associates South Asia Pvt. Ltd.  
952/16, Santhathoppu Street,  
Marakkanam, Villupuram District,  
Tamil Nadu, Pin Code - 604303  
Email: lasamarakkanam@lasaindia.com, www.lea.ca  
Corporate Identification Number: U74899DL1993PTC055750

No: LASA/73863/MM\_TN/CON/2024/628

Date: 14.08.2024

Email: [info@splechighway.com](mailto:info@splechighway.com)  
[info.nh332a@splinfra.com](mailto:info.nh332a@splinfra.com)

To

The Authorized Signatory,  
M/S SPL ECR Highway Private Limited,  
No-24, 1<sup>st</sup> Floor, Crescent Park Street,  
Chennai - 600 017 Tamil Nadu

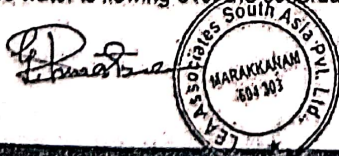
**Subject:** Four Laning of Mugaiyur to Marakkanam section of NH-332A from Km 31.000 to Km. 62.000 (Design Chainage) under Bharatmala Pariyojana Phase-I (Feeder Routes) on HAM in the State of Tamil Nadu (Package-II of Mahabalipuram Puduchery section) - Status of water flow over cofferdam constructed in Major Bridge at km. 55+350 - Regarding

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  5. SEHPL/NH-332A/MM/P2/PMO/514 dt. 18.06.2024
  6. Our Lr. No. LASA/73863/MM\_TN/CON/2024/531 dt. 25.06.2024
  7. Our Lr. No. LASA/73863/MM\_TN/CON/2024/539 dt. 04.07.2024
  8. SEHPL/NH-332A/MM/P2/PMO/618 dt. 12.07.2024
  9. Our Lr. No. LASA/73863/MM\_TN/CON/2024/566 dt. 19.07.2024
  10. SEHPL/NH-332A/MM/P2/PMO/653 dt. 30.07.2024
  11. Our Lr. No. LASA/73863/MM\_TN/CON/2024/615 dt. 07.08.2024
  12. Our Lr. No. LASA/73863/MM\_TN/CON/2024/623 dt. 12.08.2024

Sir,

This is in continuation to the letter dated 12.08.2024 under reference (12) cited above regarding status of water flow over the cofferdam constructed in violation of concurred methodology and Concessionaire's own assurance given to WRD through NHA in constructing the Major Bridge at km. 55+350 and instruction to remove the excess length of cofferdam constructed at site beyond A1 to P5.

It is to state that due to heavy rains in the upstream side / catchment area of the Major Bridge at km. 55+350 in last few days, there was a heavy water flow in the water body which had resulted submergence of the cofferdam constructed almost throughout the length of the bridge and raise in water level on the upstream side of the bridge under construction. Even though RCC, bume pipes are laid in few spans, it is not sufficient to allow the water flow to cross the cofferdam and hence water is flowing over the cofferdams.



Page 1 of 2

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During routine site visit of IE on 12.08.2024, it was observed that Concessionaire had removed the cofferdam constructed in the span P10-A2 and trenches only cut open by means of an excavator in some other spans. Photos taken at site are enclosed with this letter for reference and records. It is felt that this is not sufficient for free flow of water. Further to this, the staging and shuttering materials, etc. kept at site for using in the works were also removed to safeguard them. It was also informed / assured that further more spans also will be opened by removing the already constructed cofferdam in violation of the concurred methodology.

But, even on date (14.08.2024) Concessionaire had removed only one span fully and some trenches only excavated in some other spans. Also it is observed that only one excavator is kept at site which may not be sufficient in case of any emergency situation arises. There will be good rains in Tamil Nadu for few more days so for the meteorological department's assessment. Due to this, there will be further increase in water flow in the waterway. Based on this, yesterday DFO and local Thasildar had informed NHA1 that there is every possibility of further rains which will cause further water flow in the waterway and hence instructed to remove further length of cofferdam so that the water flow will not get affected. Therefore, it is advised to mobilise further excavators at the Major Bridge site and keep it ready for tackling emergency situation. It was assured that after water level receding to some extent, further more clearances will be made in the cofferdam for making way to free water flow.

After removal of the cofferdam, Concessionaire is advised to submit a compliance report for IE's record and onward submission to NHA1.

This is for your information and immediate necessary action.

Yours Sincerely,  
For LEA Associates South Asia Pvt. Ltd.,





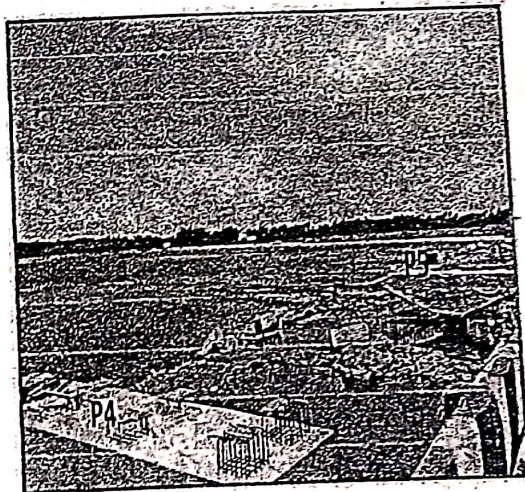
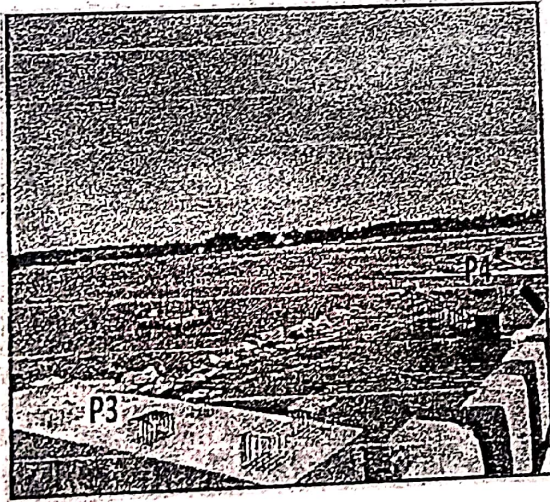
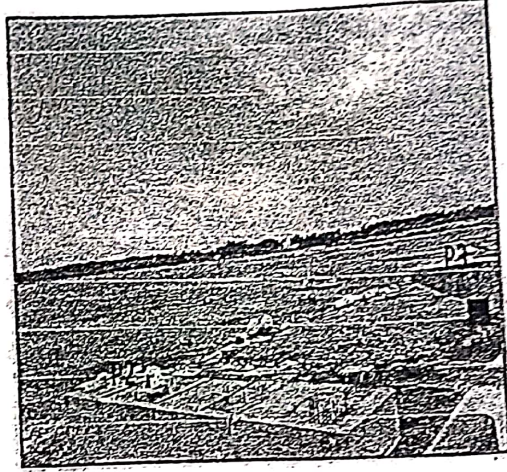
(Gurumurthy Venkataraman)  
Team Leader cum Senior Highway Engineer

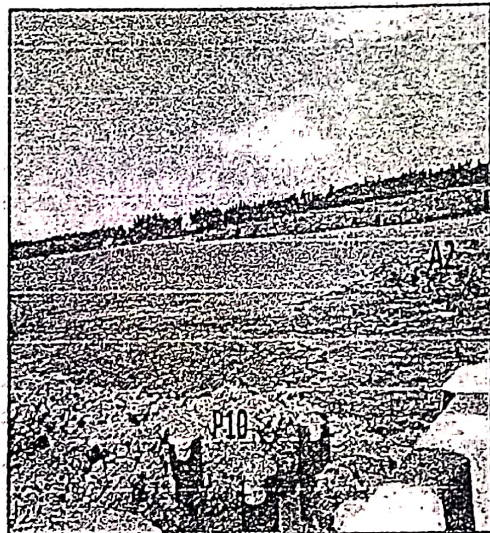
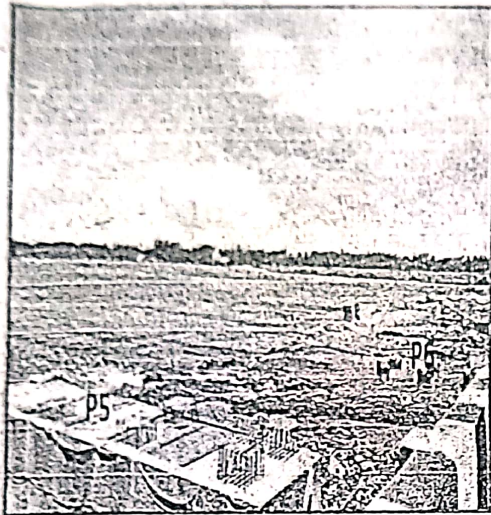
Encl: Site photos showing the status of water flow across the Major Bridge.

Copy forwarded to the following for information, please:

1. The Project Director P1U, NHA1 - Chengalpattu., Email: [piuchengalpattu@nhai.org](mailto:piuchengalpattu@nhai.org).
2. The Independent Engineer, LEA Associates South Asia Pvt. Ltd., New Delhi.

Status of water flow over Cofferdam due to recent rains in MJB at km.55+350







32

LEA Associates South Asia Pvt. Ltd.  
952/16, Santhathoppu Street,  
Marakkanam, Villupuram District,  
Tamil Nadu, Pin Code - 604303  
Email: lasamarakkanam@lasaindia.com, www.lea.co  
Corporate Identification Number: U74899DL1993PTC055750

No: LASA/73863/MM\_TN/CON/2024/646

Date: 26.08.2024

Email: [info@splecrhighway.com](mailto:info@splecrhighway.com)  
[info.nh332a@splinra.com](mailto:info.nh332a@splinra.com)

To

The Authorized Signatory,  
M/S SPL ECR Highway Private Limited,  
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Chennai - 600 017, Tamil Nadu.

Subject: Four Laning of Mugaiyur to Marakkanam section of NH-332A from Km. 31.000 to Km. 62.000 (Design Chainage) under Bharatmala Paryojana Phase-I (Feeder Routes) on HAM in the State of Tamil Nadu (Package-II of Mahabalipuram Puduchery section) - Violation of approved methodology in constructing the Major Bridge at km. 55+350 - Regarding

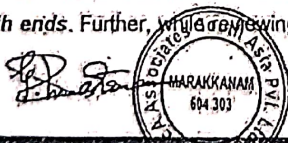
- Ref.:
1. Concession Agreement Dated 11.05.2022.
  2. EE/ABD/F.9/2023 dt. 16.08.2023
  3. NHA/11014/40/2023/PIU,CPT/1635 dt. 30.08.2023
  4. SEHPL/NH-332A/MM/P2/PMO/245 dt. 25.12.2023
  5. SEHPL/NH-332A/MM/P2/PMO/514 dt. 17.05.2024
  6. Our Lr. No. LASA/73863/MM\_TN/CON/2024/531 dt. 25.06.2024
  7. Our Lr. No. LASA/73863/MM\_TN/CON/2024/539 dt. 04.07.2024
  8. SEHPL/NH-332A/MM/P2/PMO/618 dt. 12.07.2024
  9. Our Lr. No. LASA/73863/MM\_TN/CON/2024/566 dt. 15.07.2024
  10. SEHPL/NH-332A/MM/P2/PMO/653 dt. 30.07.2024
  11. Our Lr. No. LASA/73863/MM\_TN/CON/2024/615 dt. 07.08.2024
  12. Our Lr. No. LASA/73863/MM\_TN/CON/2024/623 dt. 12.08.2024
  13. Our Lr. No. LASA/73863/MM\_TN/CON/2024/628 dt. 14.08.2024
  14. SEHPL/NH-332A/MM/P2/PMO/688 dt. 21.08.2024

Sir,

This is in response to the letter dated 21.08.2024 under reference (14) cited above regarding reply of the Concessionaire against IE's letter dated 07.08.2024 under reference (11) about violation of consented methodology for the construction and assurance given during approval obtained from WRD for Major Bridge at km. 55+350.

The methodology submitted by you in 4<sup>th</sup> paragraph is as stated in the letter dated 21.08.2024 whereas your quote of 5<sup>th</sup> paragraph is wrong. Your submission was 'the cofferdam was filling from one sides with OB material and filling progressively from the abutment side' and not from both ends. Further, while reviewing the methodology, the 4<sup>th</sup> paragraph also was not accepted

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CANADA | INDIA | ASIA | AFRICA | MIDDLE EAST



by IE and there were many other corrections / modifications were also pointed out and advised to modify the submission dated 17.05.2024.

Apart from this, the program bar chart submitted by Concessionaire is clear that the cofferdam construction from A1 to P5 is in the period from 01.12.2023 to 04.02.2024 and that of A2 to P6 is from 01.01.2025 to 28.02.2025 which is reasonable and accepted by IE based on which the concurrence was communicated but not as mentioned in Concessionaire's letter dated 21.08.2024.

All the modifications as required to bring the methodology in an acceptable status were done and an informal copy had been submitted by Concessionaire with a request to replace the attachments of their letter bearing no. 514 dated 17.05.2024 and issue consent for the methodology. As the required modifications were done by the Concessionaire, IE had conceded to their verbal request and issued concurrence to the detailed methodology vide letter dated 25.06.2024 by replacing the contents in their original letter dated 17.05.2024. The time taken from the submission to communication of concurrence is for modification and incorporation of the corrections / observations suggested by IE and replacement of the same as submitted by Concessionaire.

First of all, the detailed methodology submission would have been done by the Concessionaire before commencement of actual construction works at site, i.e., before the commencement of first activity of cofferdam construction from A1 to P6 on 07.12.2023 which was not done and the detailed methodology was submitted only after repeated instructions of IE / Authority to do so on 17.05.2024.

Strictly speaking, no work should have been executed before obtaining concurrence for the detailed methodology and this itself is a violation of standard industry practice. By this time, Concessionaire had executed considerable quantum of works which is a clear advantage taken by the Concessionaire. Details of work executed as on 25.06.2024 is enclosed with this letter for reference and records. Whatever it is, by citing this as a reason, Concessionaire cannot take up the cofferdam construction beyond the agreed length, i.e., beyond A1 to P5.

EE - WRD after inspection had not given clean chit for the construction methodology, revised by the Concessionaire on their own, by constructing the cofferdam for full length. EE-WRD states in

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the inspection report that 'for considering discharge of water due to tidal variation, the available open arrangements are sufficient to meet the river flow and in forthcoming monsoon tide variation, the available arrangements are not sufficient. Hence, it is requested to do the necessary future opening arrangements to free flow of water with respect to tide variation before onset of monsoon'

Also stated that 'further heavy excavating machineries of more numbers should be kept at site for emergency' which is not mobilized at site even when there was a rise in water level from 11.08.2024 to 17.08.2024. IE had responded to this letter vide letter dated 07.08.2024 under reference (11) which is clearly expressing the concerns of IE / Authority towards this issue. Since immediate action has not been taken by Concessionaire, DFO and local Thasildar had called NHAI to take immediate action to cut open the cofferdam constructed to pave way to reduce the water level on the upstream side of the Major Bridge at km: 55+350. Even then, Concessionaire had dealt with only one excavator and cleared the cofferdam in P10-A2 span and to cut trenches in some other spans which took considerable time.

It is once again clarified to the Concessionaire that the simultaneous construction of cofferdam by filling with OB material from A2 to P5 has not been accepted by IE at any point of time and in any manner.

Approaching WRD, bringing their EE to the site and obtaining their inspection report and all are falls under interdepartmental dealings which should have been routed through the Authority which was not followed in this issue due to Concessionaire's necessary / Concessionaire's interest but the same is not being followed in other cases / issues and Authority is being blamed for non-compliance.

On the other hand, if Concessionaire wants to proceed with different methodology other than that submitted by them and concurred by IE, they should have submitted the revised methodology and obtained necessary concurrence from all concerned before proceeding with the works at site. But, irrespective of objections raised for continuation of works beyond the concurred methodology, Concessionaire had continued the works as per their own will and wish is not acceptable.





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Even if we consider that WRD has not objected the full length cofferdam construction for an argument sake, if somebody like villagers of upstream village or activist of environment or other concerned raises an issue with district administration, NGT, etc. by mentioning that water has entered into their villages due to cofferdam obstruction in MJB at km. 55+350 or unwanted damages to the mangrove plantations, etc. who will be responsible? In the recent issue with NGT regarding similar blocking of water flow across the waterway at km. 37+146 by constructing full length cofferdam, NHA was answering at NGT and a 'Show Cause Notice' was issued to TL of IE. Concessionaire was not at all affected and not penalized in any way.

In view of all the above, Concessionaire's points denying violation of concurred methodology is not valid / not acceptable and hence they have to immediately clear the additional length of cofferdam beyond A1 to P5 as proposed by Concessionaire, as per the assurance given to WRD through NHA and agreed as per the detailed methodology. Non-compliance of this instruction immediately will be viewed seriously and IE will be forced to take action (recommend to the Authority) as per Clause 13.5 of Concession Agreement for suspension of the works under debate till completion of the works from A1 to P5 and clear the waterway in that portion.

Also, Concessionaire has to clear entire length of cofferdam on or before North East monsoon without fail as per the terms and conditions based on which permission of taking up the construction was given by WRD.

This is for your information and immediate necessary action.

Yours Sincerely,  
For LEA Associates South Asia Pvt. Ltd.,

  
(Gurumurthy Venkataraman)  
Team Leader cum Senior Highway Engineer



Copy forwarded to the following for information, please:


1. The Project Director, PIU, NHA – Chengalpattu. Email: [piuchengalpattu@nha.org](mailto:piuchengalpattu@nha.org),
2. The Independent Engineer, LEA Associates South Asia Pvt. Ltd., New Delhi.

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As on 25.06.2024

**Work executed by the Concessionaire in Major Bridge at km. 55+350**

Sl. No.	Location	Piles	Pile Caps	Piers	Pier Caps	Remarks
1	A1	8	1	1	1	Apart from these 4 nos. of PSC Girders also cast as on 25.06.2024
2	P1	6	1			
3	P2	6				
4	P3	6				
5	P4	6				
6	P5	6				
7	P6	6				
8	P7	6				
9	P8	6				
10	P9	6				
11	P10	6				
12	TOTAL	68 Nos.	2 Nos.	1 No.	1 No.	



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LEA Associates South Asia Pvt. Ltd.  
957716, Santharhinopu Street,  
Marakkanam, Villupuram District,  
Tamil Nadu. Pin Code - 604303  
Email: lasainazakistanam@lataindia.com, www.lea.ca  
Corporate Identification Number: U74899OL1991PTC054750

No: LASA/73863/MM\_TN/CON/2024/686

Date: 16.09.2024

Email: [info@splecrhighway.com](mailto:info@splecrhighway.com)  
[info.nh332a@splinfra.com](mailto:info.nh332a@splinfra.com)

To

The Authorized Signatory,  
M/S SPL ECR Highway Private Limited,  
No-24, 1<sup>st</sup> Floor, Crescent Park Street,  
Chennai – 600 017, Tamil Nadu.

**Subject:** Four Laning of Mugaiyur to Marakkanam section of NH-332A from Km 31.000 to Km. 62.000 (Design Chainage) under Bharatmala Pariyojana Phase-I (Feeder Routes) on HAM in the State of Tamil Nadu (Package-II of Mahabalipuram Puducherry section) – Violation of approved methodology in constructing the Major Bridge at km. 55+350 – Regarding

- Ref.:**
1. Concession Agreement Dated 11.05.2022.
  2. EE/ABD/F.9/2023 dt 16.08.2023
  3. Our Lr. No. LASA/73863/MM\_TN/CON/2023/079 dt. 29.05.2023
  4. SEHPL/NH-332A/MM/P2/PMO/245 dt. 25.12.2023
  5. SEHPL/NH-332A/MM/P2/PMO/427 dt. 05.04.2024
  6. SEHPL/NH-332A/MM/P2/PMO/514 dt. 17.05.2024
  7. Our Lr. No. LASA/73863/MM\_TN/CON/2024/531 dt. 25.06.2024
  8. Our Lr. No. LASA/73863/MM\_TN/CON/2024/539 dt. 04.07.2024
  9. SEHPL/NH-332A/MM/P2/PMO/618 dt. 12.07.2024
  10. Our Lr. No. LASA/73863/MM\_TN/CON/2024/566 dt. 15.07.2024
  11. SEHPL/NH-332A/MM/P2/PMO/653 dt. 30.07.2024
  12. Our Lr. No. LASA/73863/MM\_TN/CON/2024/615 dt. 07.08.2024
  13. Our Lr. No. LASA/73863/MM\_TN/CON/2024/623 dt. 12.08.2024
  14. Our Lr. No. LASA/73863/MM\_TN/CON/2024/628 dt. 14.08.2024
  15. SEHPL/NH-332A/MM/P2/PMO/688 dt. 21.08.2024
  16. Our Lr. No. LASA/73863/MM\_TN/CON/2024/646 dt. 25.08.2024
  17. SEHPL/NH-332A/MM/P2/PMO/709 dt. 27.08.2024
  18. SEHPL/NH-332A/MM/P2/PMO/746 dt. 11.09.2024

Sir,

This is in response to the letter dated 11.09.2024 under reference (18) cited above regarding Concessionaire's justification against violation of consented methodology for the construction and assurance given during approval obtained from WRD for Major Bridge at km. 55+350.



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At the outset, IE is not accepting any of the Concessionaire's baseless arguments to uphold their mistake by constructing the cofferdam in full length against the concurred methodology for only 50% at a time. In this regard the communication made by IE vide letter dated 26.08.2024 under reference (16) holds good and is valid.

In view of the above, it is once again advised to clarify why penal action shall not be initiated as per Clause 12.4.2, Clause 13.5 and Schedule-N 5.10 of Concession Agreement till compliance is made.

This is for your information and necessary action.

Yours Sincerely,  
For LEA Associates South Asia Pvt. Ltd.,



(Gurumurthy Venkataraman)  
Team Leader cum Senior Highway Engineer



Encl: Cofferdam construction as per concurred methodology - 01 Page.

Copy forwarded to the following for information, please:

1. The Project Director PIU, NHAI - Chengalpattu. Email: [piuchengalpattu@nhai.org](mailto:piuchengalpattu@nhai.org).
2. The Independent Engineer, LEA Associates South Asia Pvt. Ltd., New Delhi.

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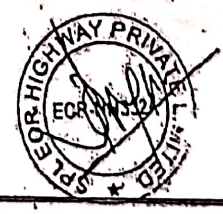
COFFER DAM

- Cofferdam can be defined as the temporary structure that is built to keep the water away from the execution site, so that the structure can be built on the dry surface.
- Rock-fill cofferdams are better than that of earthen dams. These dams are preferred when the rock is available easily at the construction site. These dams are very previous, to prevent water from seeping an impervious membrane of soil is provided in the dam.
- The top level of coffer dam should be above water high tide level for easy access and execution pile and all works.
- Filling of coffer dam should be tackle from any one side of the bridge (A1 to P5 side). After completing that side, we can also fill the OB material from A2 to P6. Minimum access should be provided for Public water transport.
- The coffer dam was filling from one ends with OB material and filling progressively from the abutment side.
- After completing the construction activities the filled OB material shall be removed for the free flow of water.

For LEA Associates South Asia Pvt

*Signature*

Bridge / Structural Engineer





भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
(राष्ट्रक परिवहन और राजमार्ग मंत्रालय, भारत सरकार)  
**National Highways Authority of India**  
(Ministry of Road Transport and Highways, Government of India)  
परियोजना कार्यान्वयन इकाई - चेंगलपट्टु Project Implementation Unit - Chengalpattu  
No. 41/8A, 2/285, वेत्तचोरी - तंबोरम मेडन रोड, मंतीपुल्लु, मेडवाक्कम, चेंगलपट्टु जिला, तमिलनाडु - 600 073  
No. 41/8A, 2/285, Velachery - Tambaram Main Road, Sathosapuram,  
Medavakkam, Chennai, Chengalpattu District, Tamil Nadu - 600 073.  
दूरभाष/Phone : 91-44-2274 0156 ई-मेल/E-mail : pluchengalpattu@nhai.org



Intimation of payment  
21<sup>st</sup> August 2024

NHAI/11016/06/2022/PIU.CPT/1560

To

SPL ECR Highways Pvt. Ltd.,  
No.24, 1st Floor,  
Crescent Park Street,  
T.Nagar, Chennai- 600 017

Sub: NHAI, PIU Chengalpattu - Four laning of Mugaiyur to Marakkanam section of NH-332A from Km 31.000 to Km 62.000 under Bharatmala Pariyojana Phase - I (Feeder Routes) in the State of Tamil Nadu on Hybrid Annuity Mode - UPC Code: N/06001/02003/TN - Milestone Payment Certificate, MPC-02 -Intimation of Payment released - Reg.

Ref: 1. M/s. LEA Associates South Asia Pvt Ltd Letter No.  
LASA/73863/MM\_TN/NHAI/2024/117 dt. 02.08.2024

\*\*\*\*

Sir,

Please refer the proposal submitted towards Payment for the above subject matter. Payment was released by Head F&A Unit, National Highways Authority of India, RO Chennai as hereunder:

Sl. No.	Description of Item	Amount %
	Bid Project Cost (Rupees)	Rs. 792,00,00,000
A	Physical progress achieved as on 30.06.2024.	10.081%
B	II (Second) Payment Milestone - on Achievement of 10% Physical Progress to be Payable as per Clause 23.4 of CA (8%)	Rs. 63,36,00,000
C	Physical progress required to achieve as per clause 23.4 of Concession Agreement for releasing of payment milestone	10.00%
D	Physical Progress Achieved as on 30.06.2024	10.081%
E	Payment entitlement to the concessionaire in this PMS-02(Final) in Rupees.	Rs. 31,68,00,000
F	Price Adjustment applicable for 2 <sup>nd</sup> Payment Milestone as per Cl.23.2.3 of concessionaire Agreement (Rupees) (Detailed Calculation Sheet attached)	Rs. 6,01,92,000
G	Total payment entitled to the Concessionaire in this Payment Milestone-02 (Final) including Price adjustment (Rupees)	Rs. 37,69,92,000
H	Less previous payment certified amount PMS-02-part payment on Account of Atmanirbhar Bharat relief measures in Rupees.	Rs.0

SUBRAHMANYA  
CHAITHANYA  
MAMIDIPUDI

Digitally signed by  
SUBRAHMANYA  
CHAITHANYA MAMIDIPUDI  
Date: 2024.08.21 18:53:48  
+05'30'

कॉर्पोरेट कार्यालय : जी-5 एवं 6, सेक्टर-10 द्वारका, नई दिल्ली - 110075. दूरभाष : 91-11-2507 4100 / 2507 4200 वेबसाइट : <http://www.nhai.gov.in>  
Corporate Office : G-5 & 6, Sector-10, Dwarka, New Delhi-110075. Phone : 91-11-2507 4100 / 2507 4200 Website : <http://www.nhai.gov.in>



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## National Highways Authority of India

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I	Payment entitlement to the Concessionaire in this Payment Milestone - 02 as per Cl. 23.4 of Article 23 (I=G-H)	Rs.37,69,92,000
J	Basic Cost without GST (J= I/1.12)	33,66,00,000.00
K	Amount withheld towards pending removal of excess cofferdam from concurred methodology at Km.55+350	3,36,60,000.00
L	Basic Cost (J-K)	30,29,40,000.00
M	GST @ 18% as per revised GST circular No.3.3.27/2022 dt. 23.12.2022 (K=J*18%)	5,45,29,200.00
N	Gross Amount (N=L+M)	35,74,69,200.00
	<b>Deductions</b>	
O	Labour welfare Cess @ 1% on bill (M=L*1%)	30,29,400.00
P	TDS GST @ 2% on "L"	60,58,800.00
Q	TDS IT @ 2% on "L"	60,58,800.00
R	Amount withheld for Safety lapses	Rs. 0
S	Release of amount withheld in the previous bills	Rs. 0
T	Amount recovered for 50% IE share as per Article 21 of CA	43,92,765.00
U	Total Deductions (O+P+Q+R-S+T)	1,95,39,765.00
V	Net Amount Payable (V=N-U)	33,79,29,435

Released An amount of Rs. 33,79,29,435/- vide UTR No. 000004120820240026915 dated 12.08.2024 through Reserve Bank of India.

Yours faithfully,  
 SUBRAHMANYA  
 CHAITHANYA  
 MAMIDIPUDI  
 Digitally signed by  
 SUBRAHMANYA CHAITHANYA  
 MAMIDIPUDI  
 Date: 2024.08.21 18:54:02 +05'30'  
 (M.S. Chaithanya),  
 Project Director.





भारतीय राष्ट्रीय राजमार्ग प्राधिकरण  
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)  
**National Highways Authority of India**  
(Ministry of Road Transport and Highways, Government of India)  
परियोजना कार्यान्वयन इकाई - चेन्नलपट्टु Project Implementation Unit - Chengalpattu  
No. 41/BA, 2/285, वेल्चेरी - ताम्बरम मेडन रोड, सतोपपुरम, मेडवाक्कम, चेन्नलपट्टु जिला, तमिलनाडु - 600 073  
No. 41/BA, 2/285, Velachery - Tambaram Main Road, Sathosapuram,  
Medavakkam, Chennai, Chengalpattu District, Tamil Nadu - 600 073.  
दूरभाष/Phone : 91-44-2278 0159 ई-मेल/E-mail : pluchengalpattu@nhai.org



NHAI/11014/17/2021/PIU.CPT/ 0602  
To,

26<sup>th</sup> March 2024

M/s. SPL ECR Highway Pvt. Ltd.,  
No. 24, 1<sup>st</sup> Floor, Crescent Park Street,  
Chennai - 600 017.  
Email: [infor@splecrhighway.com](mailto:infor@splecrhighway.com)

Sub: NHAI - PIU, Chengalpattu - Independent Engineer of Four Laning of Mamallapuram to Mugaiyur Section of NH-332A from Km. 31.000 to Km. 62.000 (Design Chainage) under Bharatmala Pariyojana Phase - 1 (Feeder Routes) on HAM mode in the State of Tamil Nadu - Construction activities inside Odiyur Lake area - Non submission of Methodology and Work Progress - Reg.

Ref: M/s. LEA Associates South Asia Pvt. Ltd., Letter No. LASA/73863/MM\_TN/CON/2024/339, dated 11.03.2024.

Sir,

This has reference to on going Major works across Odiyur Lake towards construction of Major Bridge at Km. 37+146.

2. During various review meetings and Site Inspection, the criticality of Major Bridge in terms of quantum work, length of structure, construction in Intertidal Zone environment were reviewed and the Concessionaire was requested to furnish detailed work program and methodology for taking up of works inside the lake area.
3. Further, please refer NCR raised by Independent Engineer dated 11.03.2024 (enclosed herewith) regarding Construction of working piles without conducting load test on initial test pile at the location which is not yet close as per the reports available under Datalake. However, the Concessionaire has commenced the works at this location without obtaining necessary prior approvals from the Independent Engineer, which is violation of good industries practice under HAM Provisions.

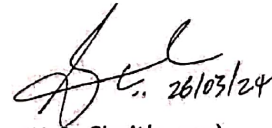
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## National Highways Authority of India

4. Earlier, this office vide Letter No. 1905, dated 16.10.2023 communicated the CRZ Clearance issue for the project by MoEF & CC and requested Independent Engineer for the project to furnish compliance report. Concessionaire furnished various undertakings vide Letter No. SEHPL/NH-332A/MM/P2/59, dated 23.11.2023.
5. The Concessionaire is well aware of the conditions stipulated by MoEF & CC while issuing CRZ Clearance for the Bridge. Further as per Clause 5.1.2, the Concessionaire shall comply with all applicable law and applicable Permits in the performance of this obligation under its Agreement.
6. The Construction of Cofferdam in Odiyur Lake is an environmentally sensitive activity in the Intertidal Zone. Hence, the commencement of works by the Concessionaire without submission of detailed methodology and work program to the Independent Engineer is not acceptable.
7. In case of any action initiated by Government Agency / Tribunal / Judiciary Bodies on account of violation of conditions set-forth as a part of clearances issued by CRZ of MoEF & CC, the Concessionaire shall be solely responsible for the consequences including financial implications, please.

Encl.: As above.

Yours faithfully,

  
(M.S. Chaithanya)  
Project Director.

Copy to:

1. Regional Officer, NHAI, Chennai - For kind information.
2. IE, M/s. LEA Associates South Asia Pvt Ltd., New Delhi.  
Email: [lasa@lasaindia.com](mailto:lasa@lasaindia.com)

# SPL ECR Highway Private Limited

Letter No: SEHPL/NH-332A/MM/P2/PMO/653

Date: 30-07-2024

To  
Executive Engineer,  
Water Resources Department (WRD),  
Lower Pennaiyar Pasin Division,  
Vilupuram District .

SUB: Four Laning of Mugaiyur to Marakkanam Section of NH-332A from Km.31.000 to 62.000 (Design Chainage) (Feeder Routes) on Hybrid Annuity Mode in the state of Tamilnadu (Package II of Mahabalipuram – Puducherry section)- " Construction of major bridge at Km55+350- Regarding".

- Ref: 1. Concession Agreement dated 11.05.2022.  
2. NHAI/11014/6/2022/PIU.CPT/696 Dt 17.04.2023  
3. NHAI/2023/DB/JDO-1 Dt 15.05.2023  
4. NHAI/11015/229/2023/RO Chennai/E-182225/3395, Dt 08.12.2023  
5. SEHPL/NH-332A/MM/P2/PMO/245, Dt 25.12.2023  
6. SEHPL/NH-332A/MM/P2/PMO/617, Dt 11.07.2024  
7. WRD Letter no. 234M/F.NHAI/2024/DB/JDO-1/Dated: 29.07.2024

Dear Sir,

This is in reference to our earlier letter no SEHPL/NH-332A/MM/P2/PMO/617, Dt 11.07.2024, which was sent to Executive Engineer WRD, mentioning current status of coffer dam at 55+350 MJB and requesting for approval.

Accordingly, Executive Engineer WRD, Inspected site on 24th July 2024 and expressed satisfaction for current status of cofferdam.

A letter in this context, has been received from Executive Engineer WRD, which is enclosed herewith for your reference and record.

Thanking you and assuring you of our best attention and services at all times.

For SPL ECR Highway Private Limited

Aniruddha Bhattacharya  
(Authorized Signatory)

Encl : As above.

CC: 1. Director, SPL ECR Highway Private Limited, Chennai.

Registered Office: No 24, 1st Floor, Crescent Park Street,  
T.Nagar, Chennai - 600017. Tele Fax : 24364787/88/89

CIN : U45209TN2021PTC147212 | Email Id: info@splecrhighway.com



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**Water Resources Department**

From

Er. B. SHOBANA, B.E.,  
Executive Engineer, WRD.,  
Lower Pennaiyar Basin Division,  
Villupuram.

To

The Director,  
M/s. SPL EGR Highways Pvt., Ltd.,  
No.24, First floor,  
Crescent Park street,  
T.Nagar, Chennai-17.

**Lr. No. 234M / F.NHAI / 2024 / DB / JD0-1 / Dated: 29.07.2024.**

Sir,

Sub: NHAI, PIU, Chengalpattu - (Pkg-II) - Four Laning of Mugaiyur to Marakkanam section of NH-332A from Km 31.000 to Km 62.000 (Design Chainage) (Feeder Routes) on Hybrid Annuity Mode in the state of Tamilnadu (Package II of Mahabalipuram-Puducherry section) - "Construction of Major bridge at Km 55+350" - Approval requested - Concurrence approval with notes - Reg.

Ref: Your Lr.No. SEHPL / NH-332A / MM / P2 / PMO / 617,  
Dated: 11.07.2024

With reference to your letter cited, the site has been inspected on 24.07.2024 and the concurrence being accorded to proceed the work as per note instruction. In this regard, the inspection notes is enclosed herewith for further necessary action.

Encl: Inspection notes - 1 No.

M. Srinivasulu  
Executive Engineer, WRD.,  
Lower Pennaiyar Basin Division,  
Villupuram.

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**Inspection Notes for the work of "Construction of Major Bridge at Km 55+350" for Four Laning of Mugaiyur to Marakkanam section of NH-332A from Km 31.000 to Km 62.000 on Hybrid Annuity Mode in the state of Tamilnadu (Package II of Mahabalipuram-Puducherry section)**

Date of Inspection: 24.07.2024

**OFFICERS PRESENT :-**

1) **Er.B.Shobana, B.E.,**

Executive Engineer, WRD,  
Lower Pennaiyar Basin Division,  
Villupuram.

2) **Er.M.Ramesh, B.E.,**

Assistant Executive Engineer, WRD,  
Lower Pennaiyar Basin Sub Division,  
Tindivanam

3) **Er.A.Karthik, M.E.,**

Assistant Engineer, WRD.,  
Irrigation Section-II,  
Villupuram.

4) **Er.R.Satheesh kanna, M.E.,**

Assistant Engineer, WRD.,  
Irrigation Section,  
Vanur.

Ref: M/s SPL ECR Highways Pvt Ltd., Lr.No.SEHPL/ NH-332A / MM / P2 /  
PMO / 617, Dated:11.07.2024

In the reference cited, the M/s SPL ECR Highways Private Limited has been awarded the project for "Four Laning of Mugaiyur to Marakkanam section of NH-332A from Km 31.000 to Km 62.000 (Design chainage) (Feeder routes) on Hybrid Annuity Mode in the state of Tamilnadu (Package II of Mahabalipuram-Puducherry section) which includes "Construction of Major Bridge at Km 55+350" across Ongur river.

In this regard, M/s SPL ECR Highways Private Limited request concurrence and approval of coffer dam made for this purpose to proceed to next stage in river bridge site of "Construction of Major Bridge at Km 55+350".

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In the above said work a bridge is under construction across Ongur river at Km 55+350 chainage for which concessionaire has already got design approval from the Executive Engineer, WRD., Lower Pennaiyar Basin Division, Villupuram as per the G.O (4D) No.50, Water Resources (R2) Department dated 15.06.2022.

In this regard, the Executive Engineer, WRD., Lower Pennaiyar Basin Division, Villupuram has inspected the work site on 24th July, 2024 and expressed satisfaction and approval accorded for carrying out the work to next stage safely and strictly follow the instructions as mentioned below.

- For considering Discharge of water due to tidal variation, the available open arrangements has been sufficient to meet the river flow and in forth coming monsoon tide variation, the available arrangements has not sufficient. Hence it is requested to do the necessary future opening arrangements to free flow of water with respect to tide variation before onset of monsoon.
- Further the heavy excavating machineries of more numbers should be kept at site for emergency.

m. Sankar  
Executive Engineer, WRD.,  
Lower Pennaiyar Basin Division,  
Villupuram

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LEA Associates South Asia Pvt. Ltd.  
852/16, Santhalthoppu Street,  
Marakkanam, Villupuram District,  
Tamil Nadu. Pin Code - 604303  
Email: lasamarakkanam@lasaindia.com, www.lea.ca  
Corporate Identification Number: U74899DL1993PTC055750

No: LASA73863/MM\_TN/NHA/2024/139

Date: 19.09.2024

Email: [chengalpattupiu@gmail.com](mailto:chengalpattupiu@gmail.com)

To

The Project director,  
National Highways Authority of India,  
Project Implementation Unit (PIU), Chengalpattu.  
No.41/8A, 2/285, second floor,  
Velachery- Tambaram Main Road,  
Santhosapuram, Medavakkam,  
Chengalpattu District,  
Tamil Nadu. Pin Code: 600073.

**Subject:** Independent Engineer Service for Four Laning of Mugaiyur to Marakkanam section of NH-332A from Km 31.000 to Km 62.000 (Design Chainage) under Bharatmala Pariyojana Phase-1 (Feeder Routes) on HAM in the State of Tamil Nadu (package-II of Mahabalipuram Puduchery) - Construction of RHS Service Road in the approach of LVUP at km. 39+727 - regarding

**Ref:** 1. Concession Agreement Dated: 23.12.2022

Dear Sir,

This is to bring it to your notice that there is a provision of LVUP at km. 39+727 as per Concession Agreement and accordingly the design and drawings of the same were reviewed, concurred and construction also started at site.

Subsequently, drawings for the approaches of the LVUP have been prepared as per the minimum required approach lengths and they also had been reviewed and concurred. Also to mention that Slip road is to be constructed from km. 39+400 onwards as per the provision in Schedule-B of CA.

In an application filed by an activist Mr. K. Saravanan in South Zone NGT by stating that the widening of the road inside the Odiyur Lake will affect the bird life in the Lake and as a result, South Zone NGT had given final orders that the Odiyur Lake shall not be encroached and if necessary the alignment of the project road shall be changed. Accordingly the alignment of the project road had been modified.

In this context, it is to highlight that the construction of Slip road from km. 39+400 to km. 39+500 and the entry / exit ramp for a length of 285 m towards Mahabalipuram side from km. 39+400 as per Fig. No. 2.1C given in Page No. 18 of IRC: SP-84-2019 is falling in the Odiyur Lake territory till km. 39+500 on RHS. Therefore, it is not possible to construct the Slip Road and exit ramp based on the final verdict of South Zone NGT as stated above.



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It is to state that, without constructing the Slip Road up to km. 39+400 and exit ramp from the LVUP location of km. 39+727 on RHS, the purpose of constructing the LVUP to provide safe access to the road users who are accessing the village road will become null and void.

In this back ground, it is requested to the Authority to take permission of the South Zone NGT for construction of Slip Road as stated above to facilitate the safety of the road users and to enable the purpose of the LVUP constructed. The area of construction into the Lake portion for this purpose is estimated about 2648 Sqm. A sketch showing this is enclosed with this letter for ready reference of the Authority and for onward submission to South Zone NGT to take their permission.

This is for your information and necessary action, please.

Thanking you and assuring our best service.

Yours Sincerely,

For LEA Associates South Asia Pvt. Ltd.,

  
(Gurumurthy Venkataratan)  
Team Leader / Senior Highway Engineer

Encl: Sketch showing the area of construction inside the Odiyur Lake area.

Copy forwarded to the following for information, please:

1. The Independent Engineer, LEA Associates South Asia Pvt. Ltd., New Delhi
2. The Authorised Representative, SPL ECR Highway Pvt. Ltd., Chennai

DETAILS OF PROPOSED SERVICE/SLIP ROAD CONSTRUCTION IN ODİYUR LAKE AREA

MUGAYYUR

MARAKKANAM

CH:39+500  
CH:39+495.225

CH:39+400

CH:39+300

CH:39+200

CH:39+115  
CH:39+100

55.00 m

95.00 m

135.00 m

REQUIRED AREA  
2648 SQM



*Signature*

Note: Exit ramp as per Fig 2.1C of IRC:SP-84-2019

NTS

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51  
LEA Associates South Asia Pvt. Ltd.  
952/16, Santhaitoppu Street,  
Marakkanam, Villupuram District,  
Tamil Nadu. Pin Code - 604303  
Email: lasamarakkanam@lasaindia.com, www.lea.ca  
Corporate Identification Number: U74899DL1993PTC055750

No: LASA/73863/MM\_TN/NHAI/2024/143

Date: 09.10.2024  
Email: [chengalpattupiu@gmail.com](mailto:chengalpattupiu@gmail.com)

To

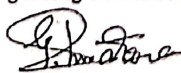

The Project director,  
National Highways Authority of India,  
Project Implementation Unit (PIU), Chengalpattu.  
No.41/8A, 2/285, Second Floor,  
Velachery- Tambarm Main Road,  
Santhosapuram, Medavakkam,  
Chengalpattu District,  
Tamil Nadu. Pin Code: 600073.

**Subject:** Four Laning of Mugaiyur to Marakkanam section of NH-332A from Km 31.000 to Km. 62.000 (Design Chainage) under Bharatmala Pariyojana Phase-I (Feeder Routes) on Hybrid Annuity Mode in the State of Tamil Nadu (Package-II of Mahabalipuram Puducherry section) – Detailed report and action taken details for violation of the construction activity at Major Bridge at km. 55+350 by Concessionaire – regarding.

- Ref:**
1. CRZ clearance order F.No. 11-17/2019-IA-III dt. 23.10.2020
  2. Concession Agreement Dated: 11.05.2022
  3. LASA/73863/MM\_TN/CON/2023/079 dt. 29.05.2023
  4. SEHPL/NH-332A/MM/P2/PMO/245 dt. 25.12.2023
  5. SEHPL/NH-332A/MM/P2/PMO/427 dt. 05.04.2024
  6. SEHPL/NH-332A/MM/P2/PMO/514 dt. 18.06.2024
  7. LASA/73863/MM\_TN/CON/2024/531 dt. 25.06.2024
  8. LASA/73863/MM\_TN/CON/2024/539 dt. 04.07.2024
  9. SEHPL/NH-332A/MM/P2/PMO/618 dt. 12.07.2024
  10. LASA/73863/MM\_TN/CON/2024/566 dt. 15.07.2024
  11. SEHPL/NH-332A/MM/P2/PMO/653 dt. 30.07.2024
  12. LASA/73863/MM\_TN/CON/2024/615 dated 07.08.2024
  13. LASA/73863/MM\_TN/CON/2024/623 dated 12.08.2024
  14. LASA/73863/MM\_TN/CON/2024/628 dated 14.08.2024
  15. SEHPL/NH-332A/MM/P2/PMO/688 dt. 21.08.2024
  16. LASA/73863/MM\_TN/CON/2024/646 dt. 26.08.2024
  17. SEHPL/NH-332A/MM/P2/PMO/709 dt. 27.08.2024
  18. NHAI/11014/17/2024/PIU.CPT/1695 dt. 04.09.2024
  19. SEHPL/NH-332A/MM/P2/PMO/746 dt. 11.09.2024
  20. LASA/73863/MM\_TN/CON/2024/688 dt. 16.09.2024
  21. NHAI/11022/04/2023/PIU.CPT/1928 dt. 26.09.2024
  22. SEHPL/NH-332A/MM/P2/PMO/791 dt. 03.10.2024

Dear Sir,

This is to bring it to the attention of the Authority that the detailed report and action taken regarding construction of Major Bridge at km. 55+350 is given hereunder:

Page 1 of 5

CANADA | INDIA | ASIA | AFRICA | MIDDLE EAST



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National Highways Authority of India (NHAI) had obtained clearance for the project from Mugaiyur to Marakkanam (Pkg II) of ECR from Ministry of Environment, Forest and Climate Change and Government of India (GOI) vide File No. 11-37/2019-IA-III dated 23.10.2020 under reference (1) based on the recommendation of Tamil Nadu Coastal Zone Management Authority (TNCZMA)'s Lr. No. 9909/EC-3/2019-1 dated 26.06.2019.

This project has been awarded to M/S. SPL ECR Highway Pvt. Ltd. through a Concession Agreement dated 11.05.2022 under reference (2). NHAI had obtained approval of GAD for the Major Bridge at km. 55+350 from WRD and the same had been communicated to the Concessionaire through IE vide letter dated 29.05.2023 under reference (3). Based on the approval, Concessionaire had submitted the drawings etc. to WRD for obtaining enter upon permission and to commence construction with an assurance that they will take up the construction activity initially for a length of 50% of the waterway across the river and the rest will be taken up by clearing the already dumped material vide their letter dated 25.12.2023 under reference (4). It is also assured that the entire waterway area will be cleared within a month once the construction of the bridge is completed.

Concessionaire had submitted a detailed methodology vide letter dated 05.04.2024 under reference (5) which was reviewed and observations were communicated for compliance by IE. Concessionaire had submitted the revised methodology vide their letter dated 18.06.2024 under reference (6). The same was reviewed and concurred with certain modifications by IE vide letter dated 25.06.2024 under reference (7).

When Concessionaire violated the concurred methodology as stated above and proceeding with the construction of the cofferdam beyond accepted limit, IE duly communicated the matter of violation with an instruction to remove the excess length of cofferdam constructed immediately vide letter dated 04.07.2024 under reference (8). Concessionaire had defended their action of constructing cofferdam for full length and approached EE-WRD on their own and submitted the inspection notes of EE-WRD vide letters dated 12.07.2024 and 30.07.2024 under references (9) and (14) respectively stating that EE-WRD gave them a clean chit for proceeding further which was objected and responded by IE after careful study of the notes with an instruction for immediate removal of excess length of cofferdam constructed and severe warning that non-compliance of the instruction will force IE to take action as per Clause 13.5 of CA for suspension of works vide letter dated 15.07.2024 and 07.08.2024 under references (10) and (15) respectively.



  


In the meantime, Concessionaire's Payment Milestone Bill No. 02 was processed with a recommendation of holding an amount of Rs. 3,36,60,000/- (10% of the basic cost payable to the Concessionaire) was withheld against Concessionaire's such violation of construction methodology and their adamant nature of non-removal of excess length of cofferdam constructed by the Authority based on IE's recommendation. Concessionaire had requested the Authority to release the withheld amount stating that he had not violated anything vide letter date 27.08.2024 under reference (20), Authority had responded in detail about his violations and replied with a warning to remove the additional length of cofferdam otherwise Concessionaire's Performance Security Bank Guarantee may be encashed vide letter dated 04.09.2024 under reference (21).

By observing that the Concessionaire did not relent and proceeded with their activities unabated and was continuing the works in the excess constructed cofferdam portion, IE wrote further letters also for immediate removal of excess length of cofferdam constructed vide letters date 12.08.2024 and 14.08.2024 under references (16) and (17). Concessionaire was defending their violation of construction methodology vide letters dated 21.08.2024 and 11.09.2024 under references (18) and (22) respectively which were rejected by IE vide letters dated 26.08.2024 and 16.09.2024 under references (19) and (23) respectively and strictly instructed the Concessionaire to immediately remove the excess length of cofferdam constructed otherwise actions will be taken as per Clauses 12.4.2, 13.5 and Schedule-N Clause 5.10 of CA.

In this situation, Mr. K. Saravanan, an activist working for coastal regions had filed an application in South Zone NGT against the unauthorized construction of cofferdam by the Concessionaire by including the Authority (NHAI) as second respondent. On receiving this, PD, NHAI had immediately issued a letter to the Concessionaire and IE regarding this vide letter dated 26.09.2024 under reference (24). On receipt of this letter and due to continuous instructions of IE, Concessionaire had removed the excess length of cofferdam constructed in the Major Bridge at km. 55+350 and submitted a letter stating that they have removed the cofferdam constructed from P6 to A2 with photos in this effect dated 03.10.2024 under reference (26).

It is to put in record that IE put all out efforts to educate the Concessionaire regarding violation of the concurred methodology and sufficient guidance and warnings were given at each point of time after Concessionaire's violation also.

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In this context, the work done by the Concessionaire in the Major Bridge in the additional cofferdam constructed area as on 30.09.2024 is listed out hereunder for records

Sl. No.	Location	Piles	Pile Caps	Piers	Pier Caps	Girders	Pedestals
1	A1	10/10	-	-	-	4(A1 P1)	
2	P1	6/6	1	1	1	4(P1 P2)	8 Nos in progress
3	P2	6/6	1	1	1	4(P2 P3)	8 Nos in progress
4	P3	6/6	1	1	1	4(P3 P4)	
5	P4	6/6	1	1	1	4(P4 P5)	
6	P5	6/6	1	1	1	3(P5 P6)	
7	P6	6/6	1	1	Reinforcement in progress	-	
8	P7	6/6	1	1	1	-	
9	P8	6/6	1	1	1	-	
10	P9	6/6	1	1	1	-	
11	P10	6/6	1	1	1	-	
12	A2	10/10	0	0	-	-	
	<b>TOTAL</b>	<b>80/80</b>	<b>10/12</b>	<b>10/12</b>	<b>9/12</b>	<b>23/44</b>	

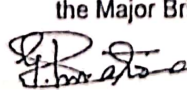

It is to state that the petitioner had raised the following three issues before South Zone NGT:

- i. Cofferdam construction for full width instead of 50% width of Yedayanthittu estuary.
- ii. Construction of road by means of road in between the adjacent bridges (Major Bridge at km. 55+350 and Minor Bridge at km. 55+813) instead of constructing bridge for full width of Yedayanthittu estuary.
- iii. Damage of mangrove plantations in Yedayanthittu estuary.

The clarifications against the above issues are being given briefly:

- i. Cofferdam construction for full width instead of 50% width of Yedayanthittu estuary:

1) As explained in detail above, the cofferdam constructed beyond 50 of the width of the Major Bridge has been removed at present.

2) Further to this, the existing bridge is having 44 nos of 9 m span arrangement whereas the bridge proposed under the project is having 11 nos of 36 m span arrangement thus having more clearance for the free water flow across the bridge.

ii. Construction of road by means of road in between the adjacent bridges:

- 1) Existing ECR is also with the road constructed in between two bridges which is there for many years had not caused any issue for the free flow of water and hence the applicant's apprehension need not be an issue.
- 2) Moreover, the plan and profile of the proposed project has been submitted to the Coastal Zone Management Authority / Coastal Regulatory Zone with the road construction in between the two bridges and obtained approval. Hence, there is no violation of any rules of CZMP / CRZ.

iii. Damage to mangrove plantations in Yedayanthittu estuary:

This was already anticipated and the CRZ approval obtained with the following assurances

- 1) 5 times the plantations damaged due to the project activities will be replanted.
- 2) Other than this, a separate area will be developed under afforestation of mangrove plantations is considered in the project and the Authority had already deposited the required money for that to the concerned authority.

As the applicant's point about the mangrove plantations damage due to the project activities is already taken care by the NHAI, this is also not an issue.

Hope, this suffices the requirement of the Authority in terms of furnishing a detailed report along with action taken details in this issue.

Thanking you and assuring you of our best services.

Yours Sincerely,  
For LEA Associates South Asia Pvt. Ltd.,



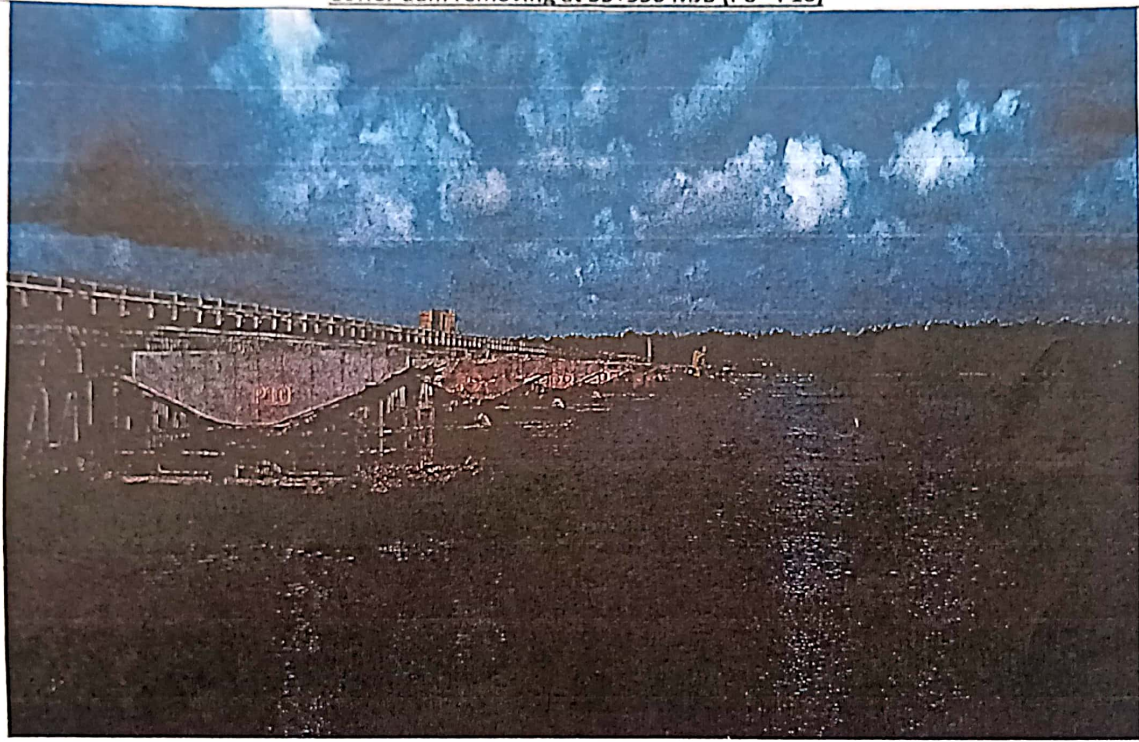
(Gurumurthy Venkataraman) \*  
Team Leader cum Senior Highway Engineer



Encl: Concessionaire's letter declaring the removal of 50 % cofferdam with photos.  
Copy forwarded to the following for information please:

1. The Regional Officer, NHAI, Chennai
2. The Independent Engineer, LEA Associates South Asia Pvt. Ltd., New Delhi

Coffer dam removing at 55+350 MJB (P6 - P10)



**BEFORE THE NATIONAL  
GREEN TRIBUNAL  
SOUTHERN ZONE,  
CHENNAI**

**Application No. 271 of 2024  
(SZ)**

**K. Saravanan s/o kasinathan  
Aged about 37 years  
30, ururkuppam, Besant  
Nagar, Chennai – 90  
- Applicant**

**Vs**

**1. Tamil Nadu Coastal Zone  
Management Authority**

**By its Member Secretary**

**1, Jennis Road, Panagal  
Building**

**Ground Floor, Saldapet,  
Chennai – 600 015**

**2. The National Highways  
Authority of India Rep by its  
Project Director Sri Balaji  
Towers, 54-28, Butt Road,  
near kathipara Junction South  
Phase, SP Industrial Estate  
Area, Parangl malai**

**Guindy, Chennai, Tamil Nadu  
– 600 016**

**- Respondents**

**INDEX TO  
TYPEDSET**

**filed by the 2<sup>nd</sup>  
Respondent**

***Mrs S.R.Sumathy  
Counsel for 1st Respondent  
G3, Singapore Plaza,  
No.164, Linghi Chetty Street,  
Chennai - 600001  
(M) 9443326242  
sumy85@yahoo.com***

