

**BEFORE THE NATIONAL GREEN TRIBUNAL**  
**SOUTHERN ZONE BENCH AT CHENNAI**  
**ORIGINAL APPLICATION NO.112 OF 2021**

**IN THE MATTER OF**

Tribunal on its own motion Suo Motu  
Based on the news item published in  
The New Indian Express Newspaper, Chennai Edition,  
Dated 24.04.2021, under the caption  
“CMRL Corridor to pass through Nanmangalam  
Reserve Forest”

....Applicant (s)

Versus

1. The Chief Secretary to Govt. of Tamil Nadu,  
Govt. Secretariat, Fort St. George,  
Chennai, Tamil Nadu – 600 009.
2. The Secretary to Govt. of Tamil Nadu,  
Department of Environment & Forests,  
Govt. Secretariat, Fort St. George,  
Chennai, Tamil Nadu – 600 009.
3. Chennai Metro Rail Limited,  
Rep. by its Managing Director,  
Admin Building, CMRL Depot,  
Poonamallee High Road,  
Koyambedu, Chennai – 600 107.
4. Tamil Nadu Biodiversity Board,  
Rep. by its Secretary,  
TBGP Campus, 2 nd Floor,  
Velacherry – Tambaram Main Road,  
Nanmangalam, Medavakkam Post,  
Chennai – 600 100.
5. The Chairman,  
Tamil Nadu Pollution Control Board,  
No.76, Anna Salai, Guindy,  
Chennai, Tamil Nadu – 600 032.
6. The District Collector,  
Chengalpet District,  
Collector Office, GST Road,  
Chengalpattu – 603 001.

7. Nanmangalam Village Panchayat,  
Rep. by its Secretary,  
No.2/602, Elumalai Road, Veeramani Nagar,  
Nanmangalam, Chengalpeta - 600 129.

..... Respondents

**REPLY FILED BY 3<sup>RD</sup> RESPONDENT**

I, B.S. Srinivas, son of B.S.R. Murthy, Hindu, aged about 57 years functioning as Chief General Manager (A & CM), Chennai Metro Rail Ltd, having office at CMRL Depot, Admin Building, Poonamallee High Road, (Opposite to Daniel Thomas School), Koyambedu, Chennai-600 107, and the 3<sup>rd</sup> Respondent herein and do hereby solemnly affirm and sincerely state as follows.

I am the Authorized Representative of the 3<sup>rd</sup> Respondent and I am fully acquainted with the facts of the present case, from the records maintained in the office of the Respondent.

1. I respectfully submit that Chennai Metro Rail Limited (herein after referred to as CMRL) is a joint venture of Government of India and Government of Tamil Nadu with equity holding. The CMRL project is a prestigious project of National importance to provide better transport facilities in an efficient manner to the largest metropolitan city in South India. This project will not only help in reducing vehicular traffic but also help in addressing the issue of air pollution and noise pollution. The project is funded by the Government, and various other funding agencies like JICA and Multilateral Development Banks like AIIB, ADB and NDB.
2. I respectfully submit that CMRL is taking up the construction of Phase-2 of metro rail in Chennai city. It consists of 3 corridors (Corridor 3, 4 and

5) providing connectivity to the North, South, East and Western parts of the city. The Corridor 5 (C-5) alignment connects Madhavaram in North to Shollinganallur in South, passing through major residential and commercial areas. It is reiterated here that the project is confined to periphery of the RF and not passing through the Nanmangalam Reserve Forest, and it is to bring to your kind notice that larger extent of forest land is not likely to be converted for this project purpose. The Corridor 5 is funded by AIIB and Environmental Impact Assessment (EIA) Report in line with AIIB Social and Environmental Safeguard guidelines that was prepared in March 2021 covers the part of alignment passing along the periphery of the Nanmangalam Reserve Forest area. As per the EIA study a Biodiversity Assessment Report and Biodiversity Management Plan was also required to be done and the same was carried out during December 2020. A copy of the Biodiversity Assessment Report and Biodiversity Management Plan of Nanmangalam Reserve Forest is attached as Annexure -2.

3. I respectfully submit that the entire alignment of Phase-2 Metro Rail is fixed based on several studies and as concluded in the DPR (Detailed Project Report) approved by State Government of Tamil Nadu(Annexure - 1). Majority of the Metro Rail alignment passes along the centre of existing roads, right up to Shollinganallur. As the existing road between Velakkal and Medavakkam Koot Road at places does not even have two lanes width, CMRL is left with no other option but to take the alignment along the boundary of the Nanmangalam Reserve Forest Compound wall (Annexure- 5), Whereby half of the viaduct projects over the existing road, requiring the other half projecting on to the forest area overhang.
4. I respectfully submit that the Nanmangalam Reserve Forest is located on

the eastern side of Tambaram town (about 10kms) along the Tambaram and Velachery Road. It spreads over an area of 320.92 ha. The proposed stretch of CMRL Corridor 5 alignment is along the edge of the Medavakkam main road and the reserve forest boundary compound wall (Annexure - 5). CMRL has explored the best possible way to align the route with utmost consideration to safeguard the biodiversity of Nanmangalam Reserve Forest. The Viaduct of the elevated corridor is supported on 28 piers wherein one half of the overhang of the elevated corridor is on the existing road and the balance half of the overhang is falling in the forest side (Annexure - 6).

5. I submit that the request has been made to Forest department for an area of 1.569 ha for the use of non-forestry purpose and as per the Forest Conservation Act 1980, online application has already been submitted on 21.04.2021. (Annexure - 3).
6. I respectfully submit that the project area 1.569 ha constituting only 0.48% of 320.92 ha of existing Nanmangalam forest, is proposed here to be utilized for the CMRL (metro project). The possibility of affecting the biodiversity of the forest is also insignificant. After the completion of the Viaduct structure, the entire area below the overhang would be redeemed scientifically.
7. I submit that as per the Biodiversity Assessment Report and Biodiversity Management Plan of Nanmangalam Reserve Forest is comprehensive and attached as Annexure -2, gives the details covering various aspects. As the newspaper article on Indian Eagle Owl came to the notice of CMRL, it immediately swung into action and conducted scientific study with the help of experienced biologist who clearly comes out with the finding that nesting site of the owl is located far away from the project site, and it is found in the vertical rock pattern of Nanmangalam RF. The report on the

Indian Eagle Owl is attached as Annexure - 4, thus the proposed alignment will not have interference on Indian Eagle Owl. The expert's literature survey also revealed that Indian Eagle Owl is widely distributed in Tamil Nadu. It is to inform that the proposed metro station close to Nanmangalam RF will showcase theme of Biodiversity conservation and it will attract bird watchers and other environmentalist to access the forest with ease.

8. I respectfully submit that in addition to that, vegetation study was carried out and the details of no's of tree species and girth of trees along the alignment are enclosed herewith as Annexure7 and 8. The location for the station is also carefully chosen that it falls on the playground area of the Quaide Milleth college of The Quaide Milleth Educational and Social Trust without disturbing the existing trees.

There are 44 trees found in the Reserve Forest area with predominant species such as Neem, Thailam (Exotic species - 3 No's), KaatuVagai, Thenchittu, Naval.

9. I submit that as per the existing order of Hon Madras High Court, compensatory plantation is to be done at 10 saplings against each tree felled. However, CMRL is committed to plant 12 saplings instead of 10 saplings as per existing practise for which budgetary provision is also made.

10. I respectfully submit that the biodiversity monitoring will be regularly ensured by Environment wing with the help of Ecologist during the pre-construction and construction phase of the project. Mitigation measures suggested in the Biodiversity Assessment Report (March 2021) will be followed scrupulously to safeguard the existing biodiversity. Suitable

intervention will be taken care as and when needed.

11.1 respectfully submit that CMRL is always committed for the cause of conservation of Biodiversity and Environmental improvement. This Respondent has considered all alternatives and has come out with this route as the last and the best option.

12. I further submit that the request has been made to Forest department for an area of 1.569 ha for the use of non-forestry purpose and as per the Forest Conservation Act 1980, online application has already been submitted on 21.04.2021. After the completion of the Viaduct structure, the entire area below the overhang would be redeemed scientifically.

13. I submit that Compensatory land will be taken care by the Revenue department in due course as per the Govt. Norms.

#### **Status of the project**

Civil tender for construction has already been floated and is due for bid submission. As this is an especially important stretch of the Corridor 5 which forms part of combined mobility plan of Chennai city, any disruption in this alignment may lead to delay in overall commissioning of entire Phase II of 118 kms metro facility and invite contractual and legal disputes resulting in time and cost over runs.

#### **Other efforts by CMRL**

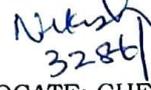
Noise level at the proposed station will be under control as the viaduct has parapets and noise barriers which act as dampener. With the above mitigation measures the noise levels will be reduced than those from road traffic.

Metro rail facility is envisaged to focus on reduction of traffic there by emission and pollution from vehicular traffic will be reduced. CMRL's focus is on reduction in the GHG emissions and CMRL has already subscribed to Clean

Development Mechanism under United Nations Framework Convention on Climate Change(UNFCCC). Under CDM, the total emission reductions from the Phase 1 Extension and proposed Phase 2 project are estimated to be 5,684,954 tons CO<sub>2</sub>e annually during 01/04/2025 to 31/03/2034 and this is possible due to investment of highly technical and advanced equipment to be used for this phase of the project. CMRL Submits that for the Phase II of the project which involves touching upon the peripheral of the Nanmangalam Reserve Forest., they have identified a team of dedicated and experienced officers who are not only passionate about the birds and local fauna but have spent enormous time in identifying the best possible route without disturbing the environment. The implementation of the project not only will safeguard the varieties of birds, fauna, and Plants/Trees, it will also ensure that they are safeguarding the future and will enable the State to attract more environmentalist and bird watchers. There will be easy access to reach the Nanmangalam Reserve Forest and it will turn out to be one of the major eco awareness centre in the middle of Chennai city and will augment the revenue of the State and will directly and indirectly give employment to many and will avoid road traffic pollution etc.

For the reasons stated above it is prayed that this Hon'ble Tribunal may be pleased to pass appropriate orders which this Hon'ble Tribunal may deem fit and proper in the circumstance of this case and thus render justice.

Solemnly affirmed at Chennai  
on this the 24<sup>th</sup> day of June ,2021  
and signed his name in my presence

  
 **B.S. SRINIVAS**  
Chief General Manger (A&CM)  
CHENNAI METRO RAIL LIMITED  
Admin. Building, CMRL Depot,  
Poonamallee High Road,  
Koyambedu, Chennai - 600 107.  
BEFORE ME  
  
3286/2015  
ADVOCATE: CHENNAI  
29, law Chubbly,  
Chennai - 102 .

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Nadu – 600 009  
and 6 others

Respondents

**REPLY FILED BY 3<sup>RD</sup> RESPONDENT**

**MR . JAYESH B DOLIA  
COUNSEL FOR 3<sup>RD</sup> RESPONDENT**