

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

**IN THE MATTER OF:**

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

Represented by its Secretary

Manapakkam

Chennai

**... Applicant**

**-VERSUS-**

**1. The Chairman**

**Airport Authority of India and others**

**... Respondents**

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S.No.	Particulars	Page. No.
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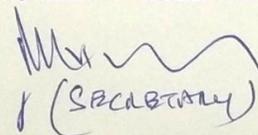
	1. Submission on the basis of Joint Committee's Further Report	1 to 4
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Dated at Chennai on this 14.07.2021

**Party in person**

For MARVEL RIVERVIEW COUNTY  
OWNERS WELFARE ASSOCIATION

  
(Secretary)

Hon'ble NGT (SZ), vide order dated 20.02.2020, in application number 157 of 2016, constituted a Joint Committee, comprising senior officers of MOEF & CC, Chennai, Executive Engineer PWD, District Collector, Kanchipuram and pollution control Board, to enumerate the violations, its impact on environment, possible remedial measures and nature of action taken for the violations found.

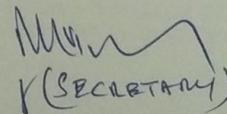
A Final Report was submitted by the committee to the Hon'ble NGT (SZ) on 15, Dec.2020. On going through the Final Report the petitioner had brought to the attention of the Hon'ble NGT (SZ), saying that the Final Report did not enumerate the specific Violations and its impact on the villages on the northern side of the Adyar Rive OR discuss remedial measures for the specific violations OR Mention the nature of action taken for the violations found, as confirmed by MOEF & CC. These were supposed to have been addressed in the report, as directed by this Hon'ble Tribunal in its order dated 20.02.2020.

After going through the objections raised by the Petitioner to the Committee's report, this Hon'ble Tribunal in its order dated 19.01.2021 had said, "It is quite unfortunate that when this Tribunal directed the committee to go in to the violation aspect of construction of runway and the over-bridge by Airport Authority of India and also suggest the remedial measures and also assess the environmental compensation for the violation and also consider the question as to whether any remedial measures can be taken to protect the river Adyar and also to avoid flood being caused to the neighbouring villages as apprehended by the applicant, but the committee has not mentioned anything about the same, instead they have suggested some recommendations for avoiding flood being caused within the airport in future. That was not expected from the committee"

There after the Hon'ble Tribunal had directed the committee to submit a further report in tune with the directions issued by it in its order dated 20.02.2020 and also after considering the objection raised by the applicant to the report submitted.

On the direction of this Hon'ble Tribunal, the committee had submitted a further Report. After going through this further report we would like to bring the following points to the attention of this Hon'ble Tribunal.

For MARVEL RIVERVIEW COUNTY  
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- 1) Violation of 48 meters (157 ft) in the width of the Bridge (463 m as against 415 m), lying on the bed of the River.

It is rather unfortunate that there has been a misunderstanding of the violation with respect to the width of the Runway Bridge, by the committee. The committee is justifying the violation by referring to Tamilnadu State Govt G.O.No.125 dated 21.03.2009. This G.O has nothing to do with change in the width of the Bridge. This G.O is for increasing the length of the Bridge and not the width of the Bridge. In other words this G.O accords the permission to widen the river and thereby increase the length of the bridge.

The petitioner is not concerned by the increase in the length of the Bridge by widening the river from 130 meter to 200 meters, but only concerned with the increase in the width of the Bridge from 415m to 463m.

**The petitioner's concern about the violation of 48 meters in the width of the Bridge and its impact on the villages on the northern side of the river, has not been addressed by the committee. The committee has not looked in to the action taken by MOEF for this major violation.**

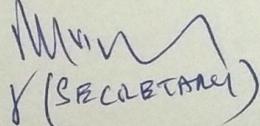
- 2) Violation of 0.33 meters in the diameter of the pillars (0.87 as against 1.2 m) lying on the bed of the river.

The committee while saying that this violation of reduction in the diameter of the pillars from 1.2 m to 0.87 m will have no adverse impact, it is silent on the action taken by MOEF on this violation. **Even if this change was recommended by the consultant or IIT Madras, It is in violation against the condition of EC.**

- 3) Violation of 1.4 meters in the soffit level of the Bridge (10.5 m as against 11.9 m)

The committee says that the soffit level is 11.00 mtrs, (Maximum flood level 10.5 m + minimum clearance of 0.5m) as recommended by the Public Works Department in its letter dated 31.07.2008 and the consultant and also vetted by IIT, Madras.

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The condition of EC is that the soffit level should be 1.4 m above the High flood level. This will be 11.90 (10.5 m + 1.40). This EC is dated 25.08.2008, much after PWD'S recommendation. It is our humble view that the conditions in the EC will prevail over PWD's recommendation and as such this is a violation against the conditions of EC.

The committee is silent about this 0.90 meter of violation in the soffit level of this huge structure with the dimension 3m x 200 m x 463 m.

The committee is silent about the action taken by MOEF on this violation.

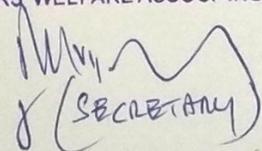
4) The unauthorized construction of 4 km stretch of the compound wall without clearance from MOEF, Lying along the edge of the reverbed.

The committee's view that it is only a compound wall and that it does not require an EC, is rather unfortunate. The committee has not visualized the impact this huge protective wall will have on the environment. This is not just a compound wall. This 30 feet high wall was constructed from the base of the river Adyar, to protect the Airport from flooding during excessive flow of water in the river. While this wall protects the Airport by blocking the free flow of the river, the water will naturally flow on to the northern side of the river towards the villages, including that of the petitioner.

The committee has rightly pointed out that at the time of grant of EC the maximum flood level was only 10.5 m and that in 2015 floods it was 13.39m, changing completely the environmental impact this difference would bring.

To put it in a nutshell, the committee has relied entirely on the information given by Airport Authority of India and MOEF, to justify all these major deviations, without seeking the actions taken against the deviations, ignoring the environmental implications due to these deviations, the very purpose for which the Hon'ble Tribunal had constituted this Committee.

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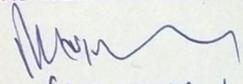
The petitioner humbly submits that all these major violations of

- 1) 48 meters in the width of the bridge,
- 2) 0.33 meters in the diameter of the pillars
- 3) 1.4 meters in the soffit level of the bridge and
- 4) The unauthorized construction of 4 km stretch of the compound wall standing on the River bed

have all been established and would obstruct the free flow of the river water during floods and inundate the villages on the northern side of the river, including that of the petitioner's. The impact will be far greater if the high flood level of 13.39 m as in 2015 is considered.

This Hon'ble Tribunal is humbly requested to issue orders to demolish the encroached and unauthorized portion of the Runway Bridge and the compound wall on the river bed, allowing the free flow of the River water and save the residents of the petitioner's village and nearby villages from the future floods.

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