

Risks in bandra worli sea link project



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The Movement of Vehicles in Mumbai city and the Bandra-Worli Sea link project are like disease and anti dote. It is the perfect solution for the site's endless Movement of Vehicles issue. The native rail network provides better tracks, AC coaches and transports million of travellers. The non-rail components have new roads, over bridges, subways, and signal system.

The Bandra-Worli Sea Link will only add to the existing issues. Mumbai city is among the five most polluted cities of the world. The Municipal report insists that to reduce the air pollution in Mumbai city it is essential to promote public transport viz. Rail network and Bus service.

Many projects were suggested since 50's for smooth Movement of Vehicles in Mumbai city. The project in question was opposed, strongly by fisher men and other alert natives constantly. However the CRRI mentioned that these corridors should be implemented only after detailed native research and the Execution of these projects should be started only after the research say it is ok to go ahead.

MUMBAI URBAN TRANSPORT PROJECT-I was planned around 1984. There was a heated brain storming session in the Assembly and the Maharashtra Govt. appointed a high level team called the K. G. Paranjape Team to give a list in priority of solutions to Mumbai city's Movement of Vehicles issues. The Team submitted its consolidated Report which had certain projects listed in a priority list.

Kirloskar Consultants and the Operation Research Group made a thorough research of Movement of Vehicles conditions and submitted their reports in July 1994. This report has rejected the Bandra-Worli Sea Link Project and the

West Island Freeway saying that it will attract more and more Movement of Vehicles towards South Mumbai city and the congestion will only get worse in many areas. The report has warned that if the Bandra-Worli Sea Link Project is implemented it will lead to more congestion and as a consequence more pollution and therefore affecting the health of Mumbai city's natives.

The V. M. Lal Team has also suggested restricting automobile Movement of Vehicles entering the island Site at Sion and Mahim. As per the newspapers it is clear that the Bandra-Worli Sea Link Project has no scientific basis.

It is disastrous to let the personalised vehicles occupy more space and roads, as it will be harmful to everyone including the users of private vehicle.

Constitutional Legitimacy of the Bandra-Worli Sea Link Project The project is supposed to be based on a research made by the Central Water and Power Research Institute, Pune. The research is based on a hydraulic model and not on the actual sea is studied.

It is imperative to note that the Indian Ecological Protection Act came into effect in 1986 and the CRZ Notice in February 1991. In 1994 the Notice which made it compulsory to make an Ecological Effect Analysis came into force and in the Notice requiring a public hearing also came into force. Obviously these legal requirements were not fulfilled. The Ecological Clearance cannot be given without doing prior research and observing all the steps of procedure. Even then on 7th January, 199 the clearance was given. The important clauses of this clearance were also violated. This attitude shows that there is no respect for Constitutional clauses. In addition to this

the site location of the proposed toll plaza has been changed after obtaining Ecological clearance.

Illegality of the Project

Rules for Ecological Compliance in India

Almost every Progressive activity has some negative Effect on the nature. The Effect, however, differs according to the nature of activity. Thus, whereas setting up an industrial unit can have serious Effect on the water and air quality besides affecting the flora and fauna of the area, a highway project can dramatically push up the noise and pollution level of the surrounding areas. It is with the purpose of containing the potential negative Effects of a development projects that the Nature Effect Analysis is done. Thus, it can be stated that Ecological Effect Analysis is one of the tools available to planners to minimize and contain harmful effects of the development activity on the nature. The objective is to foresee and address potential Ecological issues/concerns at an early stage of project planning and layout. This is a decision-making tool to ensure that finite natural resources are utilised within the carrying capacity of the eco-system to avoid its collapse.

It is desirable to ensure that the development options under consideration are sustainable.

In doing so, Ecological consequences must be characterized early in the project cycle and accounted for in the project layout.

It integrates the Ecological concerns in Progressive activities right at the time of initiating the project when preparing the feasibility report; It can often prevent future liabilities or expensive alterations in project layout.

Prior to January 1994, in India was carried out under administrative guidelines which required the project proponents of major irrigation projects, water body valley project, power stations, ports and harbours etc., to secure a clearance from the Ministry of Nature and Forest, Govt. of India. The Ecological appraised team of the Ministry carried out the Ecological appraised. In January 1994, the Govt. of India notified the Nature Effect Notice under rule 5 of Nature Protection) Rule, 1986 and 29 designated projects. The Notice made it obligatory for the 29 designated projects to prepare and submit an, and Nature Management Plan (EMP) and a Project Report to an Effect Analysis Agency for clearance. The Ministry of Nature and Forests, Govt. of Indian was designated the Effect Analysis Agency.

What went wrong with Project Location?

The site selection is always an effective approach in mitigation of risk.

Sea link project locations should be reviewed based upon various regulatory and non regulatory criteria. Project siting restrictions depend on the reception of the surrounding nature. Sensitivity should be assessed in relation to proximity of the project to the sites/sites listed in the identified ecologically sensitive zones (ESZ) notified by MoEF.

The siting criteria delineated by MoEF include:

- As far as possible, land retained for agricultural purposes should not be converted into an industrial site.
- Acquired land must have a green belt area as per regulatory norms.
- Sufficient space and arrangements must be made for storing and disposing solid waste.
- The design of the project must confirm to the landscape pattern of the area without unduly affecting the scenic beauties of that site.
- Respective town of the project, if any, to be created must provide for space for a barrier between the project and the township.

Mitigation Measures and Ecological Effect Analysis Report

Once substitutes have been examined, a mitigation plan should be drawn up for the selected option and be supplemented with an Ecological Management Plan (EMP) to lead the proponent towards Ecological improvements. The EMP is an important input to monitoring the clearance conditions and therefore details of monitoring should be included in the EMP.

An EIA report should provide clear information to the deciding committee on the different Ecological scenarios without the project, with the project and with project options. Unknown elements should be clearly reflected in the EIA report.

The affected persons may include:

- Bona fide native natives;
- Native associations;
- Ecological groups active in the area and
- Any other person located at the project site(s) of disinterment

They are to be given an opportunity to make oral/written suggestions to the State

Pollution Control Board as per the rules and regulations given forth in the Notices.

Monitoring the Clearance Conditions

Monitoring should be done during both the construction and operations stages of a project. This is not only to ensure that the commitments made are complied with however also to observe whether the predictions made in the reports were correct or not. Where the Effect exceeds the predicted levels, corrective action should be taken. Monitoring will enable the regulatory agency to review the validity of predictions and the conditions of Execution of the Ecological Management Plan (EMP).

Violations of Ecological Laws

With reference to the Notice as given above, the following violations have taken site during the execution of the Bandra-Worli Sea Link Project

1. Mockery of a Public Hearing

As per the notifications issued vide the Central Ministry of Nature and Forests (MoEF), dated 27th January 1994, 4th May 1994 and 10th April 1997, under the Nature Protection Act (EPA), Public Hearing was mandatory in development projects such as the one in question. The Maharashtra Pollution Control Board (MPCB) is responsible for holding such Public Hearings.

This public hearing is not a mere formality. The native population is often more conversant with the native implications of a project than Govt. agencies and experts exercising their judgement from outside. Besides, in <https://assignbuster.com/risks-in-bandra-worli-sea-link-project/>

attempting to get through a attractive project, the agencies are known to turn a blind, even to obnoxious and harmful implications, and the hearing in a public court gives an opportunity, though limited, to highlight such consequences. In addition, public participation is an extremely crucial component of democratic governance and has to be treated seriously, and respected nationwide. Above all, the affected population has a right to be informed about any project, which is likely to influence its quality of life and Living.

2. Incomplete Ecological Effect Analysis

According to a further Notice, the Effect Assessing Agency should prepare a set of recommendations based on the technical analysis of documents and data furnished by the project authorities of the factories and sites if started and details of the public hearing.

Also, the notice issued above, for obtaining Ecological Clearance of projects, the applicant has to obtain a NOC from the State Pollution Control Board. The MPCB should issue this NOC only after completing the legal proceedings.

In the case being discussed, the public hearing was not held in regard to (BWSLP), nor was the relevant documents etc. made available for inspection to the IPT panel or other NGOs and concerned natives. Therefore the panel concludes that the report is incompletely furnished before the eyes of the law.

3. Project assessment Report not Available for inspection or fault finding

As per clauses of Nature and Forests (MoEF), whoever applies for Ecological Clearance of projects has to submit 20 sets of a summary of the salient

features of the project and other relevant documents as prescribed, by the State Pollution Control Board so that the same can be made accessible to the concerned committee or agency in case a public hearing is conducted. The Mumbai city Ecological Action Group (BEAG) approached the MoEF for an opportunity to raise objections with regard to this project. MoEF agreed to give them the opportunity to justify their claims for rejection of the project. However, no particulars, maps, designs, layouts or other information was furnished to the BEAG.

These factors prove that from the very beginning there has been a lack of transparency in the passing and Execution of the project before the eyes of law.

4. Proved negligence and Violations Due to Reclamation

In the case of Maneka Gandhi v. Union of India,

The State of Maharashtra and the MMRDA gave a statement that no reclamation would be carried out in the Kurla Complex area and no mangrove in the Mithi Water body and its estuary would be disposed off. There has been a apparent dis-obeyance of the terms and the conditions of the

Ecological clearance notifies that “ land reclamation should be kept to the minimum, at any cost to less than 4. 7 hectares and the same should be monitored closely so that it does not violate the clauses of the CRZ Notice, 1991 or as amended subsequently.” Mrs. Geeta Pardiwala a native of Shivaji Park deposed before the IPT saying that “ initially we were told that there would be only two pillars on the sea link, one at Bandra and the other at

Worli. However now they are reclaiming more land, as it becomes cheaper for them to build the bridge. According to the 1994 Notice, any expansion of all existing or new projects requires that not only a fresh Ecological Effect Analysis is carried out however also fresh permission for the said project is sought and granted. This has definitely not been adhered to in the case of the Bandra-Worli Sea Link. The present project is based on the 1992 MMRDA report; however there are a number of contradictions to the original recommendations. The Ecological Effect Section has recommendations by scientist C. V. Kulkarni that no further reclamation be allowed on the Bandra side, to prevent siltation in the Mahim bay and the creek area.

In project such as mentioned above, in case new quarries are to be opened, specific approvals from the competent authority should be obtained in this regard." This has been violated by the Mumbai city Suburban Collector who has issued the quarrying Permit. The quarry on site falls under a ' no development zone', Notified in development control regulation for Greater Mumbai city, 1991.

Wherever fishing or other marine activities are getting affected, the concerned agency should be consulted and their concurrence obtained for the project in question." The fishermen affected by the project in question were neither consulted nor was their consent obtained.

Mumbai city is geographically positioned to play host to creeks and shallow waters opposite headlands. In most of the areas, these creeks have been blocked. Mahim Creek is one of the few sites left where the waves can partially enter the area.

However, the Effect on the marine ecology, flora and fauna, and the possibility of initiating erosion has not been studied. With Mahim creek getting shallower because of the process of siltation, there is a greater danger for coast like the Versova beach. The erosion here become a geological hazard, and has assumed alarming probabilities.

The road network in Mumbai city is based on three north-south corridor routes and there are very few continuous east-west routes. Therefore, Movement of Vehicles is concentrated on a few routes that have become congested. Mumbai city road Movement of Vehicles has worsened by around four hundred percent in the last twenty years. It poses considerable health issues.

The W. S. Atkins Report (1994) was commissioned by the MSRDC to research the feasibility of the Bandra-Worli Sea Link. The result of the report is based on a strategic transportation computer model based on cost and time of travel and calibrated for Mumbai city.

Undesirability of the Project

a) Effect due to Blockage of Mithi Water body

The most insidious aspect of the link, that will endanger the life of every native person, is related to the outbreak of epidemics. Almost 800 million litres of sewage is discarded everyday in the Mahim Creek, besides the thousands of industries that release effluents that are located in Dharavi and upstream of the Mithi Water body.

b) Financial Viability and Absence of Realistic Projections of Cost Recovery

The generalized cost of travel for the Bandra-Worli Sea Link is taken as the sum of travel time cost, direct cost of travel and cost of discomfort. By considering only internal and direct costs borne by motorists, the project planners have not considered external and opportunity costs of the project

c) Issues with the Planning and Execution of the Project

It is not possible to accurately predict the behaviour of the sea using a research based on models. Also the data used is outdated and the subsequent development i. e. the EPA of 1986 and the CRZ Regulation of 1991 have not been considered. Further, the CWPRS report goes on to say that the construction of the bridge is not likely to create any adverse condition along the coasts. However as we have seen, this is definitely not correct, and among other things with regards to Livings, floods and mangroves the negative Effect is already being experienced

Most experts agree that Socio-economic and financial instruments can help achieve sustainable development. Issues relating to transportation are so complexly mixed with other issues, such as agricultural land use and demographic and cultural trends that only a coherent set of policy measures will work. Obviously, policy recommendations must be made on a case-by case basis; however some generalized approaches can be suggested.

Transportation policy strategies should consist of Socio-economic, institutional, technological, information and land-use reforms. A balanced strategy should set standards that can be used to achieve full-cost recovery, inform consumers, provide options for them and integrate social and urban planning.

Conclusions

It is understood from the above discussed report that not one, but several aspects of the Ecological Regulations of the country have been violated in the proceedings of this project.

The project as is planned will only seek to eliminate the issue of vehicular pollution and Movement of Vehicles especially in the Worli-Haji Ali Area which is already severely congested due to lack of space.

The most annoying part of the project is that in depth research using current data have not been used to estimate the Ecological Effect of the project on the site's coastline, mangrove forests and marine ecology, which till date remains a major flaw in the plan.

Lastly as there has been no survey started to elicit how much the natives are willing to pay for the use of the bridge it should not end up being another white Elephant to the State's exchequer.