

BEFORE THE NATIONAL GREEN TRIBUNAL PRONCIPAL
BENCH NEW DELHI
EA NO. 05 OF 2024
IN
OA NO. 06/2012

IN THE MATTER OF:

NIZAMUDDIN WEST ASSOCIATION

.....APPLICANT

VERSUS

UNION OF INDIA & ORS.

. ... RESPONDENTS

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THROUGH



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ADVOCATE

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NEW DELHI

DATED 20/05/2025

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

EA NO. 05 OF 2024

IN

OA NO. 06/2012

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**AFFIDAVIT ON BEHALF OF THE MUNICIPAL
CORPORATION OF DELHI FILED IN COMPLIANCE OF
DIRECTIONS DATED 06.05.2025.**

I, S.D Tomar, S/o Late Rajender Singh, presently working as Superintending Engineer-I, Central Zone, Municipal Corporation of Delhi, having my office at Zonal Office Building, Lajpat Nagar, New Delhi – 110024, do hereby solemnly affirm and state as under:

1. That I am the deponent herein and competent to swear this affidavit on behalf of the Municipal Corporation of Delhi (hereinafter "MCD") and am well conversant with the facts and circumstances of the present case.
2. That this affidavit is being filed in compliance of the directions of the Hon'ble National Green Tribunal dated 06.05.2025, in response to the



issues raised during the course of hearing by Learned Senior Counsel Sh. Sidharth Luthra, wherein clarification and further information were sought with respect to the de-silting work of Defence Colony Drain.

3. That the Defence Colony Drain consists of approximately 1300 meters of covered stretch, which functions as a major tributary of the Kushak Drain, and receives sewage and wastewater from areas such as Greater Kailash, Andrews Ganj, and surrounding colonies. The MCD has initiated the de-silting work in this drain by adopting a longitudinal opening method through RCC slab dismantling and cut-skip-cut approach, with the first 50-meter stretch already opened and de-silted. Subsequently, further segments have been taken up following the same methodology, with appropriate safety precautions.

4. That the execution plan is based on progressive longitudinal cuts initially at 30-meter intervals and later revised to 40 meters, subject to on-site feasibility and structural constraints such as preservation of trees, gazebos, and permanent fixtures. As on date, RCC slab dismantling has been completed up to 805 meters, reinforcement cutting has been completed up to 520 meters, and de-silting has been completed for 126 meters, while the next 100-meter stretch is under execution. Parallel activities of RCC breaking, reinforcement cutting, and de-silting are being carried out to expedite the process and complete it before the onset of monsoon.



5. That a Critical Path Method (CPM) Chart has been prepared to monitor the progress and execution plan in a phased manner, and the same is annexed herewith and marked as **Annexure-A**. The photograph of the installed floating boom trash barrier at the upstream Ring Road entry point, intended to prevent floating material from entering the covered drain portion, is annexed herewith and marked as **Annexure-B**.

6. That the de-silted material collected from the drain is being transported and disposed of at the designated Okhla Dump Site, a notified disposal site since 1996. As of the date of filing this affidavit, approximately 650 Metric Tonnes (MT) of silt has been transported to the said site. Additionally, samples of the de-silted material are being sent for analysis to a designated laboratory for determining the nature and composition of the material. Photographs depicting the de-silting work, including longitudinal cuts and use of machinery are annexed herewith and collectively marked as **Annexure-C (Colly)**.

7. That clarification is hereby given that the entire 1300-meter covered stretch of the Defence Colony Drain is proposed to be longitudinally opened to facilitate de-silting and regular future maintenance. However, variations in the cut-skip-cut pattern may be made on-site wherever required to preserve environmental and civic structures. The long-term plan is to maintain these longitudinal cuts for annual de-silting and preventive cleaning measures. The proposed drawings are annexed herewith and marked as **Annexure-D (Colly)**.



8. That it is respectfully submitted that the final structural pattern of the drain post de-silting whether fully longitudinally open, covered-opened in segments, or any other configuration shall be finalized based on the learned experience and technical feasibility observed during the ongoing Cut-skip-Cut de-silting operations. This flexible approach is being followed to ensure both operational effectiveness and structural compatibility.

9. That the three existing shafts/ramps constructed along the side of the drain are being used for movement of machinery and access for de silting operations. These openings shall be kept open and remain operational until the entire work is completed. Thereafter, they shall be secured with mild steel gates to avoid any untoward incident, while retaining their utility for future maintenance activities.

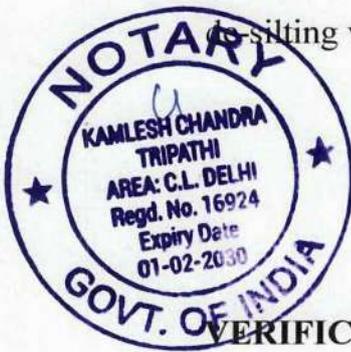
10. That the open stretch of 50–60 meters on the northern side of the drain, which remains uncovered, shall be cleaned and maintained in a free and unencumbered state during the monsoon to ensure proper drainage and avoid flooding in the upstream catchment.

11. That all longitudinal openings being made in the RCC slab shall be secured with temporary barricading and appropriate signage during the execution phase to avoid public accidents. Upon completion, Toe walls shall be constructed along the edges of these openings to ensure structural integrity, safety for residents, and ease of future maintenance.



12. That it is submitted that the foul smell emanating from the drain is due to the continuous flow of untreated sewage water, which, owing to its confinement in a covered drain, gets further intensified. This issue cannot be resolved solely through de-silting and can only be addressed through proper sewer tapping and redirection for treatment as part of a long-term sewerage management strategy.

13. That MCD undertakes to continue filing progress affidavits as directed by this Hon'ble Tribunal, including detailed records of additional de-silting work completed, quantity of silt removed etc.



[Signature]
DEPONENT

VERIFICATION

I, the deponent above named, do hereby verify that the contents of the foregoing affidavit are true and correct to the best of my knowledge and belief. No part of it is false and nothing material has been concealed therefrom.

[Signature]

20 MAY 2025

Sworn at New Delhi on this ___ day of May, 2025.

[Signature]
DEPONENT

Identify the Executant/Deponent Who has Signed in my Presence

CERTIFIED THAT THE CONTENTS EXPLAINED TO THE DEPONENT/EXECUTANT WHO IS SEEMED PERFECTLY TO UNDERSTAND AFFIRMED & DEPOSED BEFORE ME AT NEW DELHI

IDENTIFY THE EXECUTANT/ DEPONENT WHO HAS SIGNED IN MY PRESENCE
KAMLESH BHANDARI TRIPATHI Advocate Reg. No. 16924
NOTARY PUBLIC (C.L. DELHI)

[Signature]
35 / MK 25/106

20 MAY 2025

4. CRITICAL PATH ANALYSIS

1. Slab Breaking (B)

- **Duration:** 27 days (Days 3–30).
- **Criticality:** Delays here directly extend the project timeline.

2. Gas Cutting (C):

- **Duration:** 42 days (Days 3–45).
- **Criticality:** Must finish by Day 45 to allow silt removal.

3. Silt Removal (D):

- **Duration:** 53 days (Days 3–56).
- **Criticality:** Longest activity; any delay risks missing the 60-day deadline.

4. Completion (E):

- **Duration:** 2 days (Days 56–58).
- **Buffer:** 2 days (Days 58–60) for contingencies.

5. RESOURCE LOADING & FLOAT MANAGEMENT.

Activity	Resource Demand	Float	Risk Mitigation
B	4 RCC breakers.	0	1 machine added to avoid delays.
C.	5 gas-cutting teams.	0	Pre-stage reinforcement cutters.
D	4 excavators, 12 trucks.	0	Trucks for silt backlog.

6. TECHNICAL JUSTIFICATION

Parallel Execution:

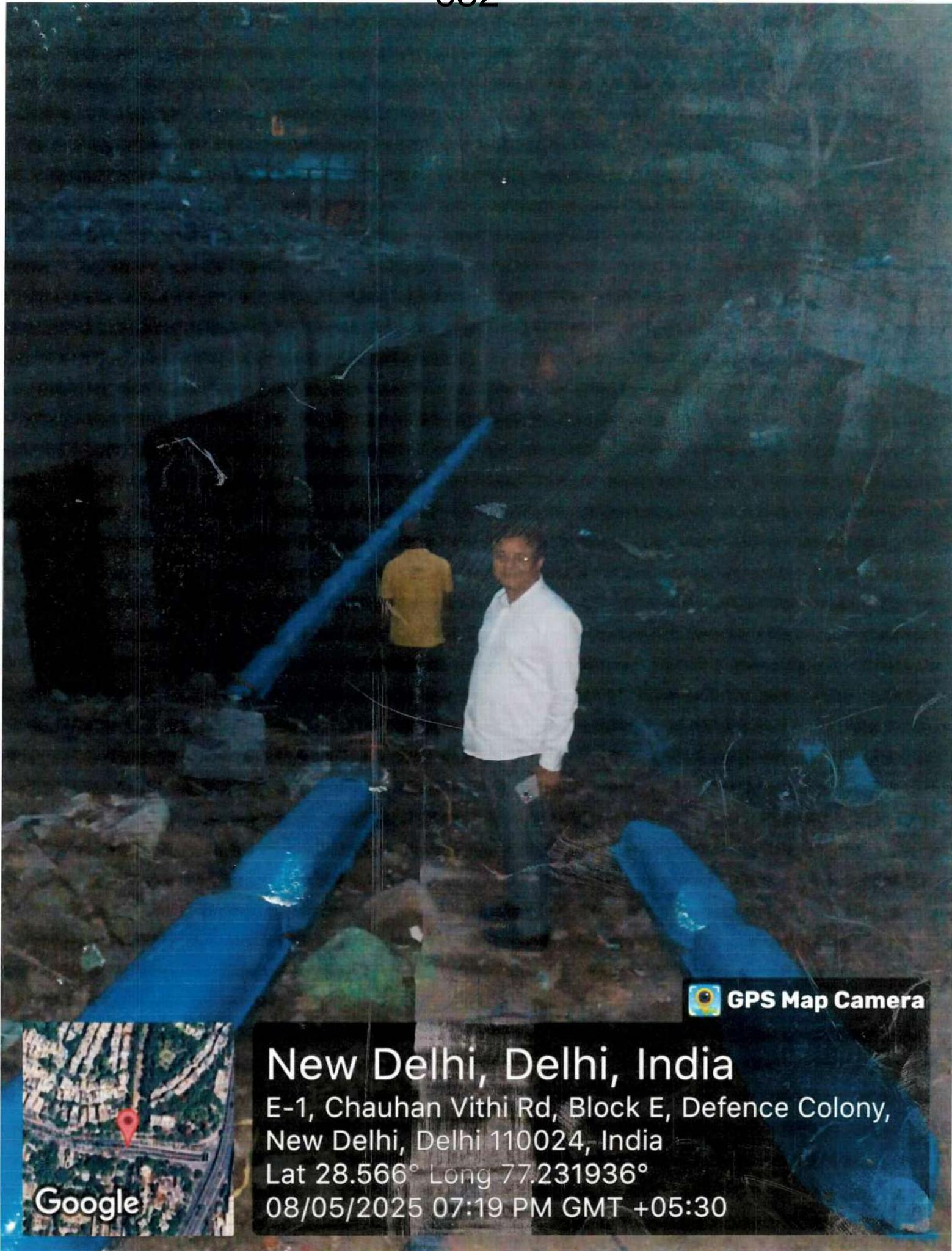
- Gas cutting (C) and silt removal (D) starts as soon as slab segments are accessible.
- Overlapping reduces total duration from 124 days (sequential) to 58 days (parallel).
- Bottleneck: Silt removal (D) is resource-intensive but optimized with 4 excavators and 12 trucks.

7. CONCLUSION

The critical path (58 days) ensures compliance with the 60- days target. Float is absorbed by by the 2 days buffer for final reporting.

Prepared by:

**S.D. Tomar,
Superintending Engineer-I
Central Zone, Municipal Corporation of Delhi**



 **GPS Map Camera**



New Delhi, Delhi, India

E-1, Chauhan Vithi Rd, Block E, Defence Colony,
New Delhi, Delhi 110024, India

Lat 28.566° Long 77.231936°

08/05/2025 07:19 PM GMT +05:30

ANNEX C (ally)

683

Conota
Camera for work

10



26.04.2025 02:14 pm
28°34'38.41"N 77°14'9.57"E (±19m)
Altitude: 172m
D-157, Divya Marg, Block D, Defence Colony,
New 110024

S



 GPS Map Camera



New Delhi, Delhi, India
H6cm+998 Park, Block D, Defence Colony, New Delhi,
Delhi 110049, India
Lat 28.57083° Long 77.233564°
18/05/2025 10:35 AM GMT +05:30





GPS Map Camera



New Delhi, Delhi, India

D-180, Divya Marg, Block D, Defence Colony, New Delhi, Delhi 110024, India

Lat 28.5765° Long 77.235894°

18/05/2025 11:23 AM GMT +05:30

Google



 GPS Map Camera

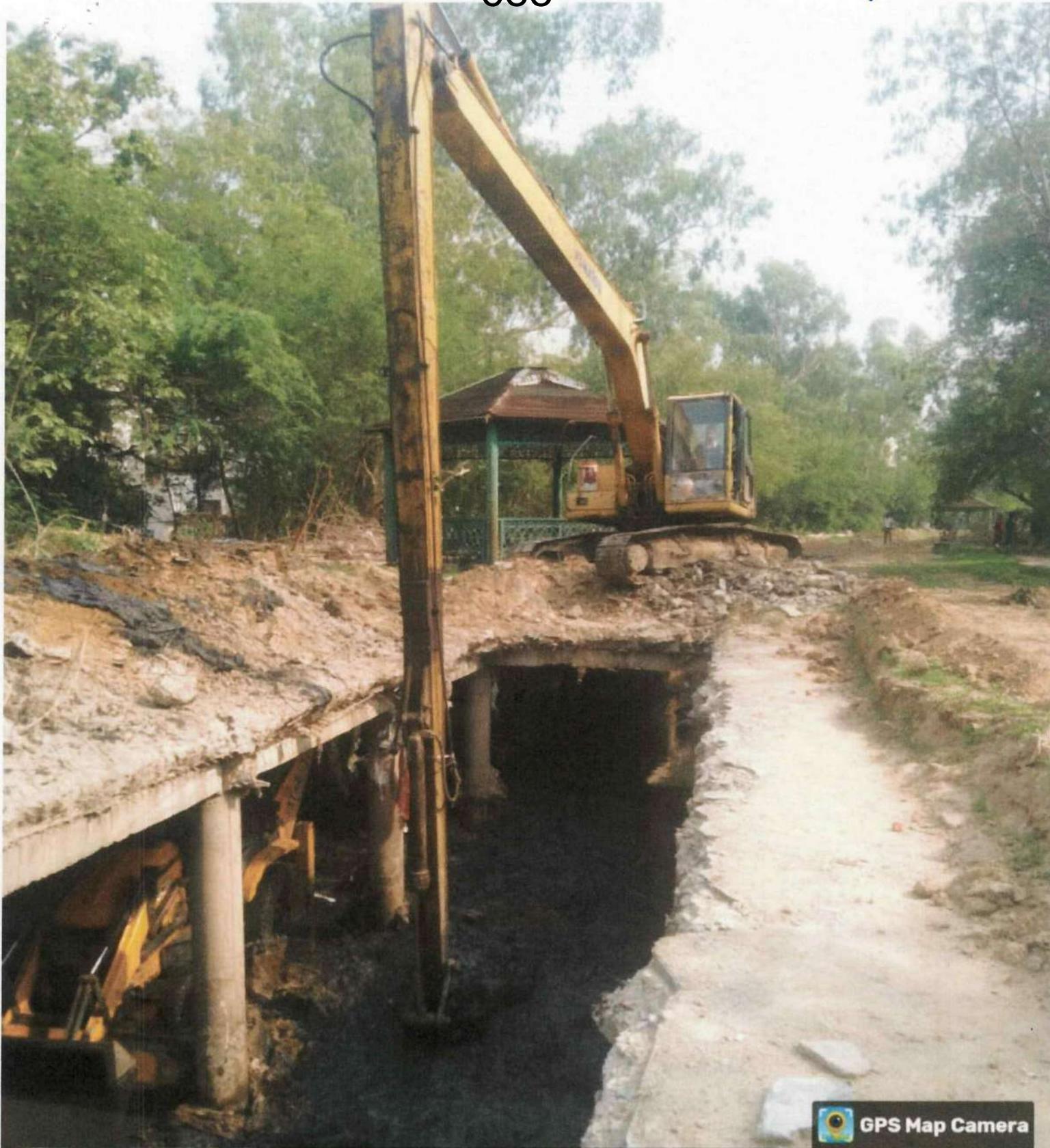


New Delhi, Delhi, India

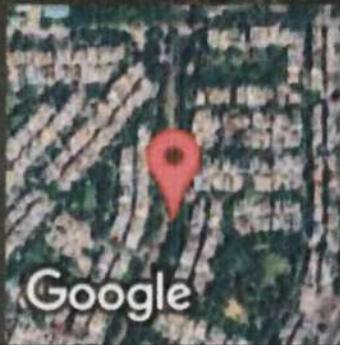
203, Divya Marg, Block D, Defence Colony, New Delhi, Delhi 110024, India

Lat 28.576122° Long 77.235923°

19/05/2025 03:47 PM GMT +05:30



 GPS Map Camera



New Delhi, Delhi, India

203, Divya Marg, Block D, Defence Colony, New Delhi, Delhi 110024, India

Lat 28.576136° Long 77.23592°

19/05/2025 03:46 PM GMT +05:30



 **GPS Map Camera**



New Delhi, Delhi, India

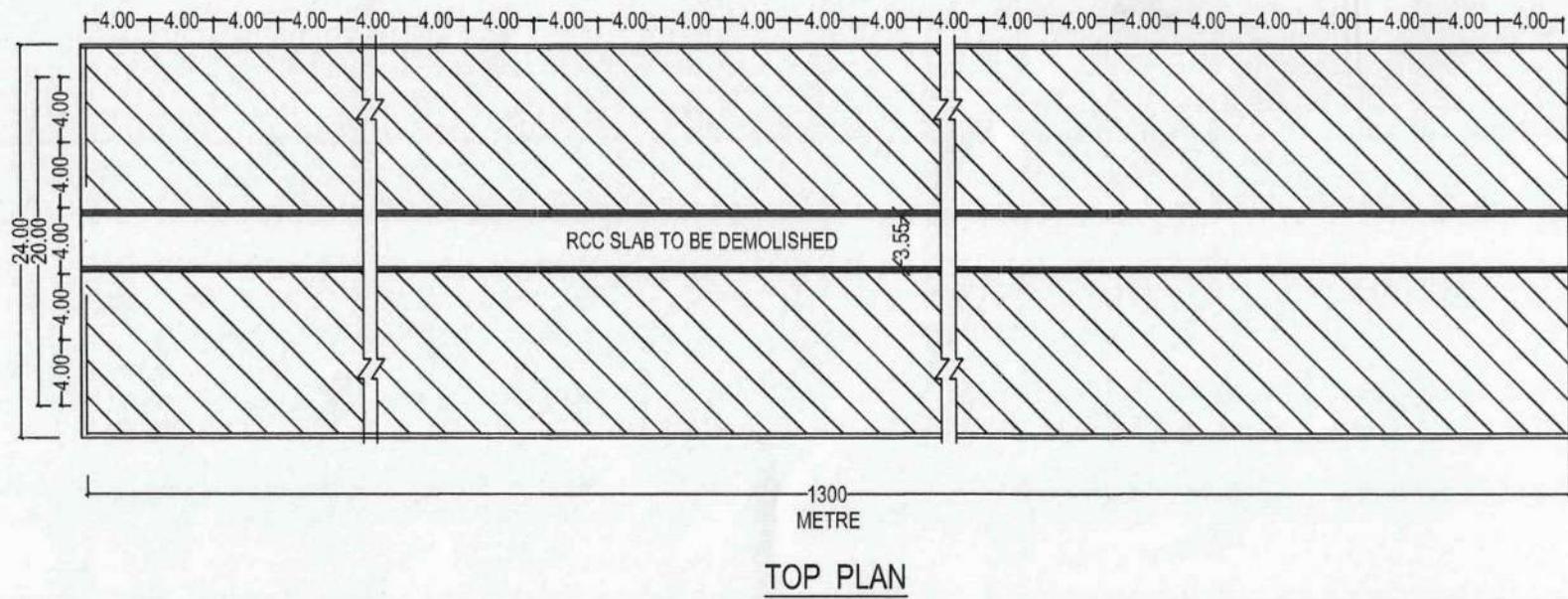
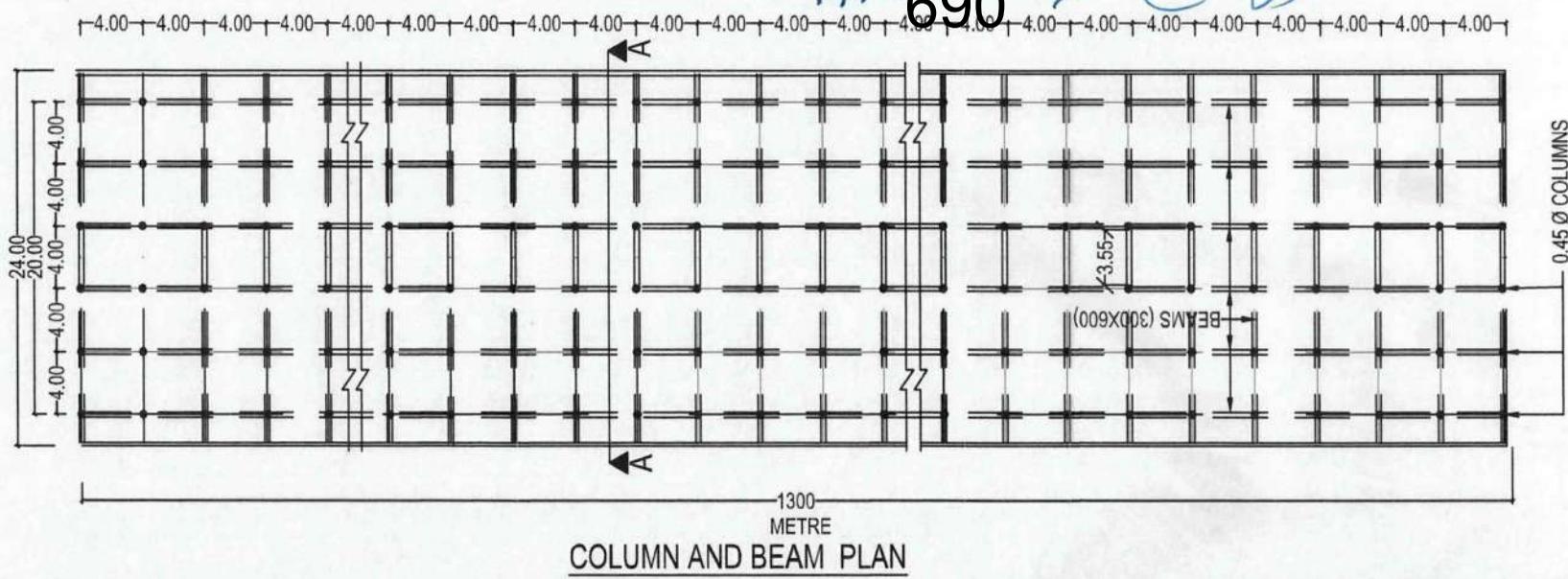
13-15, Divya Marg, Block F, Defence Colony, New Delhi, Delhi 110049, India

Lat 28.566129° Long 77.232058°

20/04/2025 12:45 PM GMT +05:30

ANNEXURE D (colly) 690

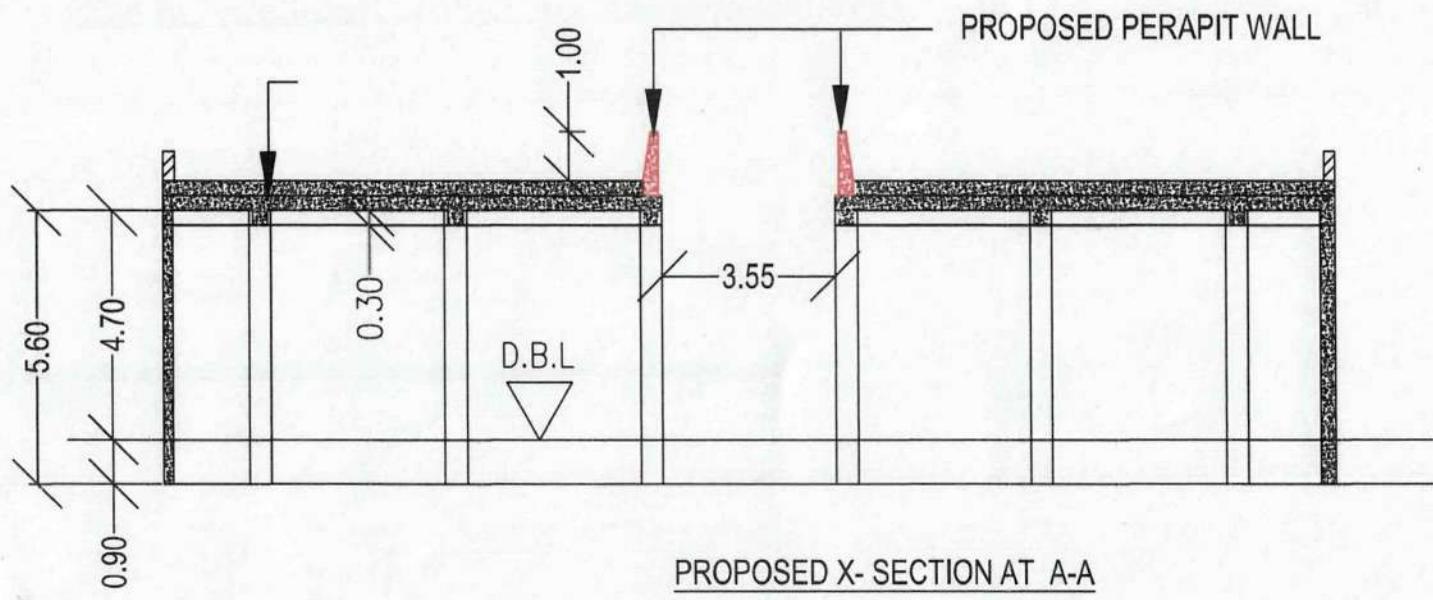
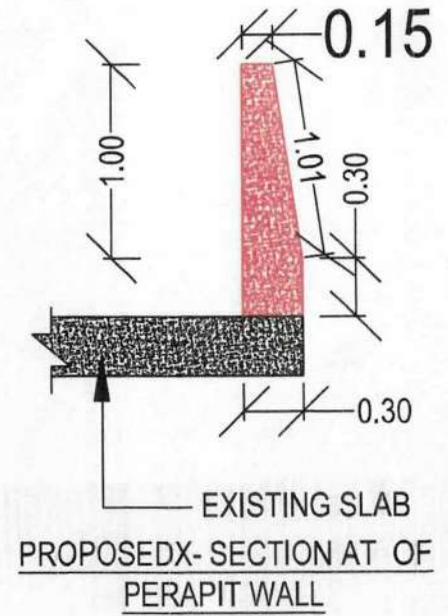
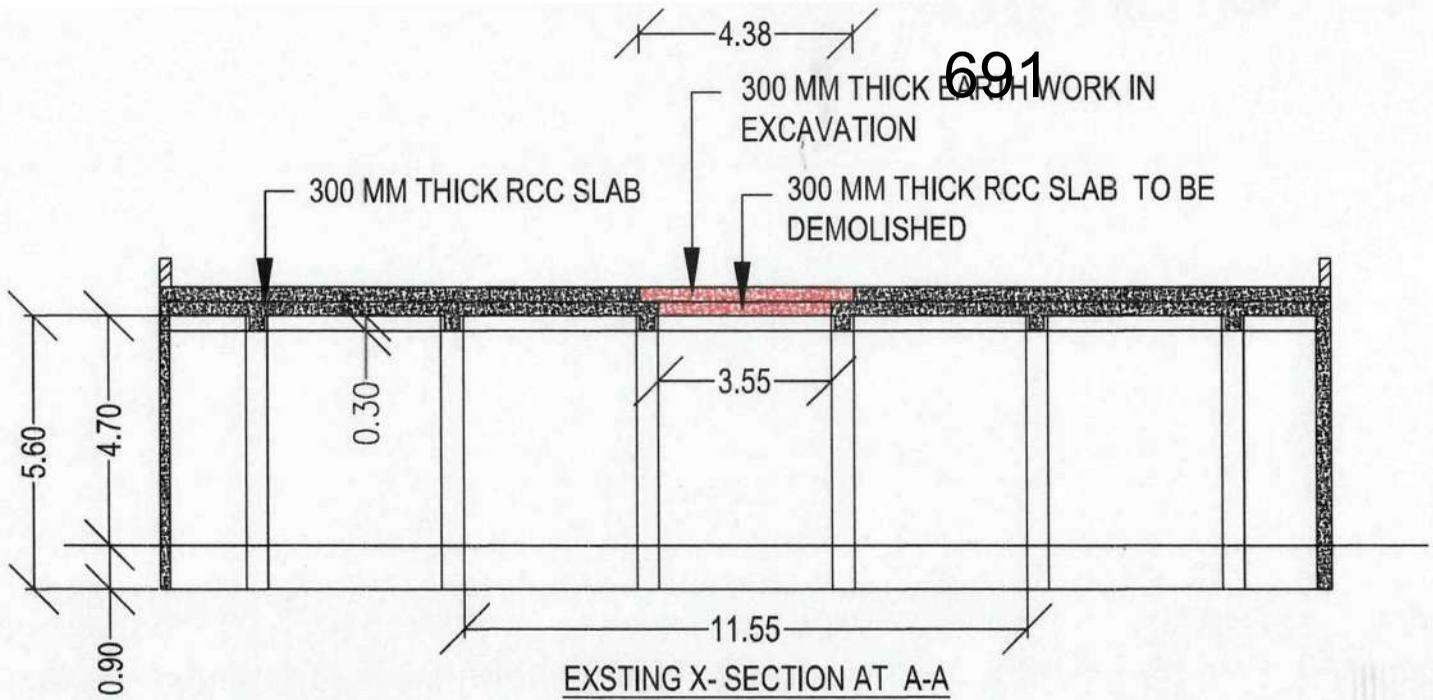
17



PROJECT: -		
PROVIDING OPENING ALONG CENTRE LINE AND DESILTING OF EXISTING OUTFALL DRAIN AT DEFENCE COLONY WARD NO. 145 ANDREW GANG.		
Scale		Drw. No. 01
Drw. Title	PLANS	
EE(M-1)CZ	AE	JE

18

691



PROJECT: - PROVIDING OPENING ALONG CENTRE LINE AND DESILTING OF EXISTING OUTFALL DRAIN AT DEFENCE COLONY WARD NO. 145 ANDREW GANG.		
Scale		Drg. No. 01
Drg. Title	X-SECTION A	
EE(I)CZ	AE	JE

