

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 559/2022**

IN THE MATTER OF:

Sanjeev Jain

...APPLICANT

Versus

Municipal Corporation of Delhi & Ors.

...RESPONDENTS

LIST OF DOCUMENTS

S.No.	Particulars	Page No.
1.	Reply on behalf of Respondent No. 8, PWD, GNCT of Delhi	1-3
1.	Annexure-1: Copy of notification dated 10.01.2012.	4
2.	Annexure-2: Details of the inventory of roads thus handed over to PWD by the MCD.	5
3.	Annexure-3: Copy of the communication dated 08.03.2021 along-with the schematic drawing.	6 – 8
4.	Annexure-4 (Colly): Photographs and site plan.	9 - 12

NEW DELHI

Dated: 12.07.2023

Through Counsel

Respondent


Jyoti Mendiratta
 Standing Counsel, GNCT of Delhi

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 559/2022**

IN THE MATTER OF:

Sanjeev Jain

...APPLICANT

Versus

Municipal Corporation of Delhi & Ors.

...RESPONDENTS

**REPLY ON BEHALF OF PUBLIC WORKS DEPARTMENT,
GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF
DELHI.**

MOST RESPECTFULLY SHOWETH:-

1. That the present Original application *inter-alia* seeks directions to stop the purported Illegal activities of installation of power station on the alleged East MCD Park at Patparganj Village Chowk in East Delhi.
2. That the Government of NCT of Delhi issued a notification dated 10.01.2012 whereby the roads having 'Right of Way' of 60 feet and above belonging to the MCD were vested with the Govt. of NCT of Delhi, copy whereof is annexed hereto as **Annexure 1**.
3. That pursuant to the above notification, necessary directions were issued to the engineering wing of the MCD to hand over the said roads to the concerned engineers of the applicant department. Details of the inventory of roads thus handed over to PWD by the MCD, including the road in question, for civil/ electrical/ horticulture are annexed herewith as **Annexure 2**.

4. That as part of the plan submitted before the Hon'ble Supreme Court in M.C. Mehta Vs. Union of India & Ors., W.P.(C) No. 13029 of 1985, to help decongest the 77 identified choke points, amongst the various measures taken by the Govt. of NCT of Delhi, it was decided to shift transformers, poles and substations on certain locations to remove traffic bottlenecks.
5. That after consultation with BSES and after a joint visit by the PWD and BSES officials, the site in question was found technically feasible for installation of the Transformer as there already existed a transformer. Accordingly, the Executive Engineer (Elect.), M-253, PWD vide letter No. 23(1)/EE(EVPWD M-253/233 dt. 08.03:2021, granted sanction for Shifting of Poles & Transformer opposite Prasooti Grah in Corridor No.7, Category "B" on Patparganj Road) Delhi. Copy of the said communication dated 08.03.2021 along-with the schematic drawing is annexed hereto and marked as **Annexure 3**. Thereafter, approval was granted by the Expert Technical Committee on 09.06.2021.
6. It is submitted that there was no park at the site in question. The transformer in question has been installed on an area measuring 30ft x15 ft on the pavement abutting the main road and on the periphery of the MCD Maternity Hospital, as evident from the photographs and site plan annexed hereto as **Annexure 4 (Colly)**.

Respondent

Through Counsel


Jyoti Mendiratta

Standing Counsel, GNCT of Delhi

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 559/2022

IN THE MATTER OF:

Sanjeev Jain

...APPLICANT

Versus

Municipal Corporation of Delhi & Ors.

...RESPONDENTS

AFFIDAVIT

I, Vishnu Avtar Gupta, Executive Engineer, Public Works Department, Govt. of NCT of Delhi, M-253, Delhi Secretariat, New Delhi, solemnly affirm and state as under:

1. That I am Respondent No. 8 in the present matter and I am fully conversant with the facts and circumstances of the case and as such I am competent to swear the present affidavit.
2. That I have gone through the contents of the accompanying reply and have understood the same. The application has been drafted on my instructions by my counsel and I state that the contents of the application are true and correct to my knowledge and no part of it is false.

IDENTIFIED

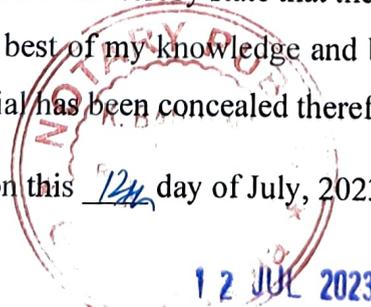
VERIFICATION

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

Verified at New Delhi on this 12th day of July, 2023.



ATTESTED
NOTARY PUBLIC DELHI
GOVT. OF INDIA
Mob.: 9654768498



DEPONENT
कार्यपालक अभियन्ता (वै.)
Executive Engineer (E.)
लो.नि.वि.(दि.स.) / PWD (Govt. of Delhi)
वै.अनु.मं. एम-253 / EMD M-253
दिल्ली सचिवालय / Delhi Sachivalaya
नई दिल्ली-110002

DEPONENT
कार्यपालक अभियन्ता (वै.)
Executive Engineer (E.)
लो.नि.वि.(दि.स.) / PWD (Govt. of Delhi)
वै.अनु.मं. एम-253 / EMD M-253
दिल्ली सचिवालय / Delhi Sachivalaya
नई दिल्ली-110002

GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI
 URBAN DEVELOPMENT DEPARTMENT
 9th LEVEL, C WING, DELHI SECRETARIAT, NEW DELHI-110002

F.No.13(02)/UD/MB/2011/593-599

DL 10-01-2012

ORDER

The Government of National Capital Territory of Delhi has decided the vesting of roads having Right of Way (ROW) of 60 feet and above belonging to Municipal Corporation of Delhi, with the Government of National Capital Territory of Delhi so as to ensure their proper maintenance and upkeep from the funds of the State Government through the agencies of the State Government in view of the financial constraints being faced by Municipal Corporation of Delhi and the need to maintain wider roads as city level roads cutting across the proposed boundaries of the three Municipal Corporations.

This issues with the approval of the Hon'ble Lt Governor, Delhi.

(R. CHANDRA MOHAN)
 PRINCIPAL SECRETARY (UP)

To,
 The Commissioner
 Municipal Corporation of Delhi,
 Civic Centre, JLN Marg, New Delhi

Copy for information to:

Secy, to Hon'ble Lt. Governor - for kind information of Hon'ble Lt. Gov.
 Secy, to Hon'ble Chief Minister - for kind information of Hon'ble CM
 Secy, to Hon'ble Min. of UD - for kind information of Hon'ble Minister
 Secy, to Hon'ble Min. of PWD - for kind information of Hon'ble Minister
 Secy, to Hon'ble Chief Secretary - for kind information of Chief Secretary
 Secy. (CAD), GNCTD - for kind information

True COPY

Details of inventory of roads being handed over to PWD by MCD within the ROW of road for civil/ electrical/ horticulture

S.No.	Description	Details
1	Name of Road (from _____ to _____)	from NH-24 to Patpangaj village
2	ROW (along with sketch)	25m (80')
3	Length (along with sketch)	200 mtr
4	carriageway width including type of wearing coat, warranty of work if any	14 mtr (two lanes) dense carpeting
5	Footpath width including type of paving	N.A (0.60 m x 0.80 m)
6	Drainage sectional details and detail of outfall	N.A
7	Detail of service road if any including width, surface & separator	N.A
8	Detail of RUB/ROB/POB/Sub-way including location, warranty of work if any	N.A
9	Detail of E&M i.e. sump-well / pump house including location, number of pumps & sump, completed.	N.A
10	Detail of electrical items i.e. no. of poles, type of pole, location i.e. central verge/footpath, name of the	N.A
11	Number of high mast including location, height of high mast and agency maintaining the work if any	N.A
12	Horticulture works, location & status.	N.A

07/10/12
MCD

Signature

MCD

Signature
21/11/12

True Copy



राष्ट्रीय राजधानी क्षेत्र दिल्ली सरकार
GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
सूचना विभाग
PUBLIC WORKS DEPARTMENT

कार्यपालक अभियंता (दो)
लोकनिधि विभाग, अटल एग-253
दिल्ली सरकार, द्वितीय तल, श्री विंग, दिल्ली सचिवालय
अटल एग एस्टेट, नई दिल्ली- 110 002
फोन: 23392199 फैक्स: 23392199

OFFICE OF THE EXECUTIVE ENGINEER (E)
PUBLIC WORKS DEPARTMENT ELECTRICALS
ELECTRICAL MAINTENANCE DIVISION-M-253
GNCTD, 2ND FLOOR, C WING, DELHI SACHIVALAYA
LP, ESTATE, NEW DELHI
PHONE: 23392199 FAX: 23392199
Email: -eeepwddelhi253@gmail.com

25(IVEE(E)/PWD M-253/233

दिनांक:- 08.03.2021

To

Addl. VP, BSES
Sub station No. 2, Plot No. 311,
Papparganj Industrial area
Delhi-110092

Sub: Schematic drawing showing proposed location for shifting of transformer near Praspoti Grah.

Ref: Meeting of Hon'ble L.G. Delhi on 24.07.2021 at 1200 hours to review the status of tasks on 77
Corridor (Category 'A', 'B' and 'C') [Hon'ble Supreme Court of India matter in IA No. 34/1989 in
GVP No. 13029/1985 - M.C. Mehta Vs. UOI & Ors.]

Sir,

In reference to above, please find attached schematic drawing for the proposed location of transformer which is to
be shifted from its existing location. Permission for the same has been obtained from Councillor, Sh. Bipin Bihari Singh.
You are requested to submit an estimate of this particular work, prior approved by ETC, to this office for further
necessary action at the earliest.

Encl:

1. Schematic drg. for proposed location of transformer.
2. Letter from Councillor, Ward 012-E-Papparganj, East Delhi.

Copy to:

1. The Assistant Engineer (E), M-2532, PB & East Electrical, Delhi Sachivalaya.

कार्यपालक अभियंता (दो)
लोकनिधि विभाग, अटल एग-253
दिल्ली सरकार, द्वितीय तल, श्री विंग, दिल्ली सचिवालय
अटल एग एस्टेट, नई दिल्ली- 110 002
फोन: 23392199 फैक्स: 23392199

कार्यपालक अभियंता (दो)

GOVT. OF NATIONAL CAPITAL TERRITORY OF DELHI
PUBLIC WORKS DEPARTMENT

OFFICE OF THE EXECUTIVE ENGINEER (E)
PUBLIC WORKS DEPARTMENT ELECTRICALS
ELECTRICAL MAINTENANCE DIVISION M-253
GNCTD, 2ND FLOOR, C WING, DELHI SACHIVALAYA
I.P. ESTATE, NEW DELHI
PHONE: 23392199 FAX: 23392199
Email: eeepwddelhim253@gmail.com

231/EE(E)/PWD/M-253/233

Dated: 08.03.2021

To
Addl VP, BSES
Sub Station No. 2, Plot No. 311
Patparganj Industrial Area
Delhi – 10092

Sub: Schematic drawing showing proposed location for shifting of transformer near Prasooti Grah.

Ref: Meeting of Hon'ble L.G. Delhi on 24.02.2021 at 1200 hours to review the status of tasks no. 77 corridors (Category 'A', 'B' and 'C')[Hon'ble Supreme Court of India matter in I.A. 34/1999 in CWP No. 13029/1985-M.C. Mehta Vs. UoI & Ors.]

Sir

In reference to above, please find attached schematic drawing for the proposed location of transformer which is to be shifted from its existing location. Permission for the same has been obtained from Councillor, Sh. Bipin Bihari Singh Ji. You are requested to submit an estimate of this particular work, prior approved by ETC, to this office for further necessary action at the earliest.

Encl:

1. Schematic drawing for the proposed location of transformer
2. Letter from Councillor, Ward 012-Patparganj, East Delhi

Sd/-

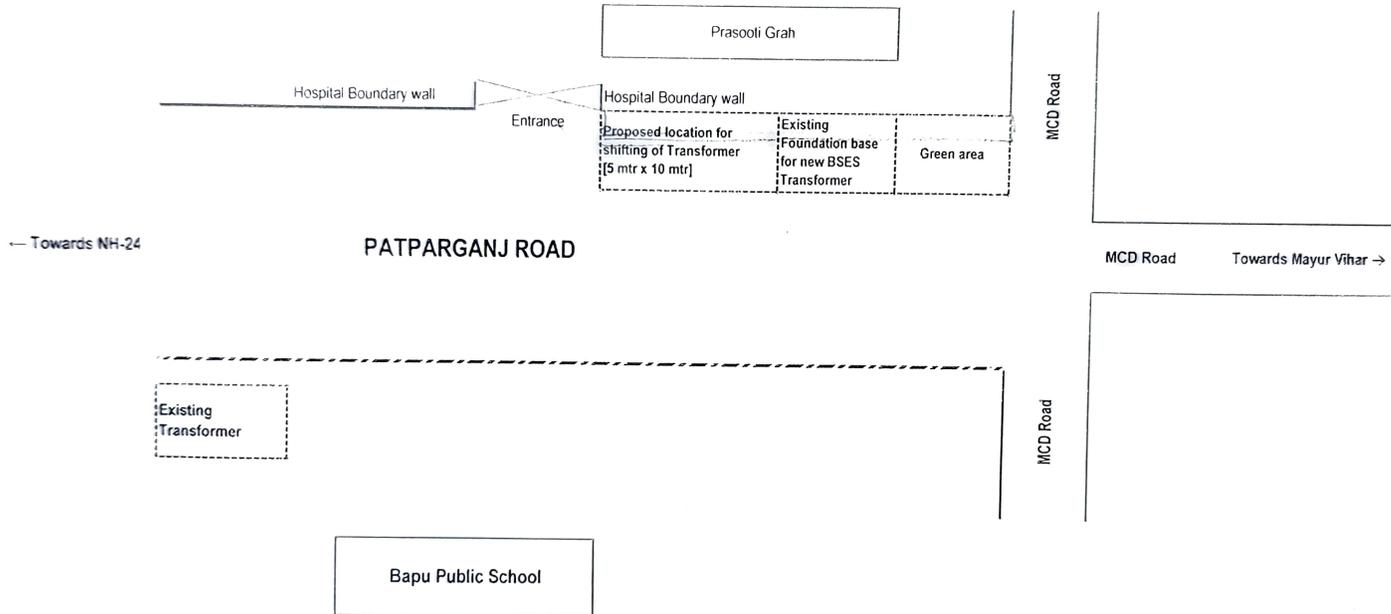
Executive Engineer (E)
ELECTRICAL MAINTENANCE DIVISION M-253
DELHI SACHIVALAYA,
NEW DELHI

Copy to:

1. The Assistant Engineer (E), M-2532, PB & East Electrical, Delhi Sachivalaya

Executive Engineer (E)

Proposed location for shifting of transformer in r/o Corridor 7 Category 'B'



True copy

ANNEXURE - 4 KOLLY

9



GPS Map
Camera Lite

144/4, Patparganj, Mayur Vihar, Delhi, 110091, India

Latitude

28.613505°

Longitude

77.28955666666667°

Local 10:46:55 AM

GMT 05:16:55 AM

Altitude 12.99 meters

Tuesday, 31.01.2023



144/4, Patparganj, Mayur Vihar, Delhi, 110091, India

Latitude

28.613505°

Longitude

77.28955666666667°

Local 10:47:19 AM

GMT 05:17:19 AM

Altitude 12.99 meters

Tuesday, 31.01.2023

GPS Map
Camera Lite

583

11



584

12

