

**BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL,  
PRINCIPAL BENCH, NEW DELHI  
ORIGINAL APPLICATION NO. 432/2025**

**IN THE MATTER OF: -**

ASHISH JAIN

... APPLICANT

VERSUS

PUBLIC WORKS DEPARTMENT AND ORS.

... RESPONDENTS

**I N D E X**

<u>Si. No.</u>	<u>Particulars</u>	<u>Page No.</u>
1.	Reply on behalf of Respondent No.1- Public Works Department, Delhi along with affidavit	1-4
2.	<b>Annexure-A</b> Copy of the Photograph of the Milling process	5
3.	<b>Annexure-B</b> Copy of the Photograph of the Road	6

Delhi

Date: 06.01.2026

  
RESPONDENT NO.1

Executive Engineer  
Shahdara Road Division  
M-211, PWD, Delhi-110091

**THROUGH**

  
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**REPLY ON BEHALF OF RESPONDENT NO.1- PUBLIC WORKS  
DEPARTMENT, DELHI**

MOST RESPECTFULLY SUBMITTED:

1. That the Strengthening/ Re-carpeting Work of Road No. 58A (Master Somnath Marg), Surajmal Vihar, Delhi was carried out by PWD, Delhi i.e., Respondent No. 1/ the Answering Respondent, through an approved government enlisted Contractor M/s Sethi Constructions i.e. Respondent No.2.
2. The said work was carried out as per specifications and standard procedures. PWD always directs all its contractors to strictly comply with environmental safeguards, including:
  - Covering and containment of construction waste;
  - Timely transportation to authorized dumping sites;
  - Periodic site inspections to ensure no waste is left unattended.

3. The work to be carried out was scraping of the old existing bituminous layers and relaying of new bituminous layers. It involved scraping of old existing bituminous layers by cold milling machine by cutting and breaking the bituminous materials and then throwing the same (i.e. cold milled bituminous materials) directly into a dumper which further transported these materials to the Hot Mix Plant for reuse (photo of milling process is enclosed as Annexure-A). These cold milled materials were never thrown by the Respondents along the road side.
4. That upon the receipt of information of malba dumping, the site was inspected by PWD, but it was observed that dumped malba had already been removed prior to the site inspection.
5. It is respectfully submitted that the answering respondent cannot identify the source of cold milled bituminous materials which was lying there earlier as it might have been dumped by some unknown agency.
6. That as on date, there are no malba, road construction bitumen, debris etc. on the green belt adjoining the road (photo is enclosed as Annexure-B). The PWD remains committed to the protection and restoration of the Green Belt and to full compliance with environmental and waste management laws.
7. The statement of Applicant regarding violation of environmental statutory rules by the Answering Respondent is vehemently denied. The Public

Works Department always follow statutory rules like Solid Waste Management Rules 2016, Construction & Demolition Waste Management Rules 2016, Delhi Preservation of Trees Act 1994 and other precautionary principles etc.

Delhi  
Date: 05 .01.2026

  
Executive Engineer,  
Shahdara Road Division (M211),  
PWD, GNCTD, 2nd Nizamuddin Bridge,  
Eastern Approach, Delhi-110091

Executive Engineer  
Shahdara Road Division  
M-211, PWD, Delhi-110091

**THROUGH**

06.01.2026  
New Delhi

  
Jyoti Mendiratta  
Counsel for Govt. of NCT of Delhi  
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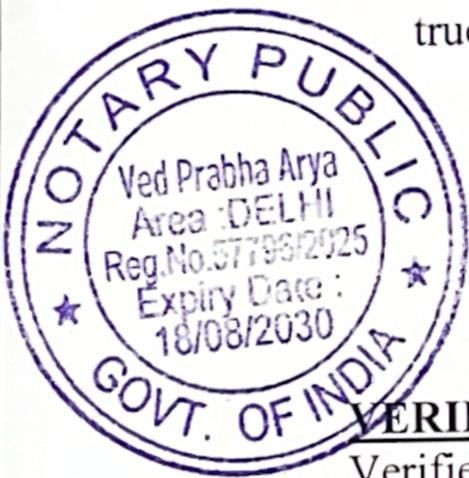
PUBLIC WORKS DEPARTMENT AND ORS.

... RESPONDENTS

**AFFIDAVIT**

I, Chandan Kumar S/O S.N. Sinha aged about 40 years, presently posted as Executive Engineer, in Shahdara Road Division (M211), PWD, GNCTD, 2<sup>nd</sup> Nizamuddin Bridge, Eastern Approach, Delhi-110091, do hereby solemnly affirm and declare as under:-

1. That I am duly authorized to file this affidavit on behalf of the Respondent No.1 (i.e. PWD, GNCTD) and am competent to depose the present affidavit in my official capacity as such I am well aware with the facts of the present matter and therefore competent to swear the present affidavit.
2. That I have gone through the contents of the accompanying application 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.



06 JAN 2026

*[Signature]*  
**DEPONENT**

Executive Engineer  
Shahdara Road Division  
M-211, PWD, Delhi-110091

**VERIFICATION**

Verified at New Delhi on this 5th day of January, 2026 and that the contents of the above affidavit are true to the best of my knowledge and belief and nothing false has been stated therein.

06 JAN 2026

*[Signature]*  
**DEPONENT**

Executive Engineer  
Shahdara Road Division  
M-211, PWD, Delhi-110091

Entry No. 52  
Date 06/01/26

**GOVT. OF INDIA**

**ATTESTED**

*[Signature]*  
NOTARY PUBLIC, DELHI  
GOVT. OF INDIA



Annexure - B

6

