

IN THE SUPREME COURT OF INDIA  
CIVIL ORIGINAL JURISDICTION  
WRIT PETITION [CIVIL] No.13029 OF 1985

IN THE MATER OF :

M. C. Mehta

... PETITIONER

VS

Union of India & Ors.

... RESPONDENTS

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FILED BY:

  
(JYOTI MENDIRATTA)  
Advocate for GNCT of Delhi

Dated: 19.07.2023

New Delhi

**IN THE SUPREME COURT OF INDIA**  
**CIVIL ORIGINAL JURISDICTION**  
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**VS**

**UNION OF INDIA & ORS.**

**... RESPONDENTS**

**AFFIDAVIT ON BEHALF OF GOVERNMENT OF**  
**NATIONAL CAPITAL TERRITORY OF DELHI IN**  
**COMPLIANCE OF THE ORDER DATED 03.07.2023**

I, Deepak Kumar, Joint Director, RRTS Branch, Transport Department, Government of NCT of Delhi, 5/9 Under Hill Road, Delhi - 110054 do hereby solemnly affirm and declare as under:

1. That I am posted as Joint Director in Transport Department, Government of NCT of Delhi and in that capacity, I am conversant with the facts and circumstances of the case and competent to swear this affidavit.

2. At the outset it is respectfully submitted that the present affidavit is being filed not in the slightest manner in an adversarial spirit, but rather with utmost humility to place the



*Deepak Kumar*

relevant facts and circumstances before this Hon'ble Court in compliance of Order dated 03.07.2023.

3. That this Hon'ble Court has directed the Delhi Government to file an affidavit setting forth the funds utilized for advertisement by the State Government for the last three financial years. In this regard, the details of funds utilised for advertisement by Directorate of Information and Publicity, GNCTD from the DIP budget and other departments/ autonomous bodies/ organization etc. beyond the DIP budget for the last three Financial Years 2020-21, 2021- 22 and 2022-23 are being submitted as follows:

	Advertisement Expenditure Rs. (In Cr.)		
F.Y. Year	By DIP from DIP Budget	Other department/ Organization/ autonomous bodies etc. of GNCTD beyond DIP Budget	Total
2020-21	293.2	3.69	296.89
2021-22	568.46	11.45	579.91
2022-23	186.28	10.48	196.36
Grand Total	1047.94	25.22	1073.16

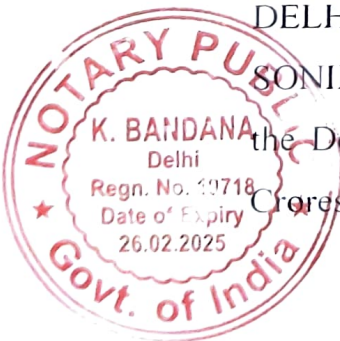
4. This Hon'ble Court may kindly appreciate that the expenditure on publicity as above is a necessary component of good governance and effective administration. The funds allocated

*Dipen Kumar*



for publicity purposes are aimed at maximizing the reach and impact of government policies, ultimately benefiting the public at large. The above amounts are primarily being spent on publicity by the Delhi Government for advertising and disseminating information about its various schemes and programs to the wider population. By investing in publicity, the Delhi Government aims to bridge the gap between the government and its citizens, ensuring that the benefits of its schemes and programs reach the intended beneficiaries to enable the public to make informed decisions and take advantage of the resources provided by the government.

5. Furthermore, the above expenditure towards publicity for the Capital State of Delhi is the most reasonable, economical and efficient way of communicating the work of the government and is not excessive in any manner either in absolute or in terms of percentage as compared to the other parts of India.
6. That this Hon'ble Court was pleased to pass the above-said direction to furnish the above details in view of the lack of availability of funds cited by the Delhi Government as the reason for its inability to contribute its share of Rs. 3,261 Crores and Rs. 2,443 Crores towards the construction of the DELHI-GURUGRAM-REWARI-ALWAR and DELHI-SONIPAT-PANIPAT corridors. Apart from the said liability, the Delhi Government is also required to contribute Rs.1,180 Crores towards its share for the construction of the DELHI –



*Dip in Kumar*

MEERUT corridor. As evident from the records of this case, this Hon'ble Court permitted the Delhi Government to utilize Rs. 265 Crores and Rs. 500 Crores out of the Environmental Compensation Charge ("ECC") funds to meet its liability in respect of the latter project.

7. It is crucial to emphasize that the Delhi Government acknowledges the significance of infrastructure development and the construction of the corridors in question. However, without adequate financial resources, the Delhi Government has not been able to make budgetary allocations. One of the significant reasons for the scarcity of funds is the termination of the GST Compensation Programme in June 2022, which has severely impacted Delhi. The promise of GST leading to buoyant state revenue has not been realized due to multiple reasons, including the impact of the COVID-19 pandemic.
8. That the resultant gap in revenue collection has led to a reduction in expenditure in various developmental programs and the overall development of the National Capital Territory. The Government of Delhi has also appealed to the Central Government to continue providing compensation for the next five years until the GST collections achieve the 14% annual growth rate.

9. That during the year 2022-23, the amount of GST compensation received by Delhi from the Central Government



*Dipen Kumar*



was Rs. 10,000 crores. However, during the current financial year 2023-24, Delhi will receive only Rs. 3,802 crores on account of arrears of GST compensation. As such, the sudden cessation of GST compensation has severely impacted the financial resources of the State Government. This has led to a substantial reduction in the availability of funds.

10. Additionally, apart from the reduced revenue generation, the scarcity of funds can also be attributed to an increase in expenditure for essential public services, such as healthcare, education, and social welfare which have further made it more challenging to allocate sufficient financial resources towards infrastructure development projects, such as the construction of corridors.
11. That the Delhi Government has engaged in discussions and correspondence with the Central Government to seek a resolution and reinstate the compensation and/ or to bear the financial burden of the concerned infrastructural projects, but regrettably, no substantial progress has been made thus far.
12. However, if this Hon'ble Court directs the Delhi Government to contribute towards the development of corridors, it is humbly prayed that this Hon'ble Court may then kindly permit the government to make the payment in instalments, spread over a reasonable period of time to enable the government to fulfill its obligations while also ensuring the smooth functioning of other



*Dipin Kumar*

essential governmental functions and services.

*Deepak Kumar*  
DEPONENT *19/7/23*

**DEEPAK KUMAR**  
Joint Director  
Transport Department  
Govt. of NCT of Delhi  
5/9, Under Hill Road, Delhi-110054

VERIFICATION :

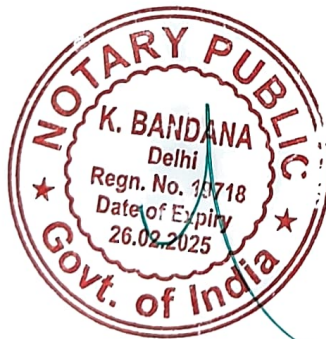
*19 JUL 2023*

Verified at New Delhi on this      day of July, 2023 that the contents made in the above mentioned affidavit are true and correct to the best of my knowledge and from information received by me which I believe to be true and correct and are also nothing material has been suppressed or concealed therein.

*[Signature]*  
**IDENTIFIED**

*Deepak Kumar*  
DEPONENT *19/7/23*

**DEEPAK KUMAR**  
Joint Director  
Transport Department  
Govt. of NCT of Delhi  
5/9, Under Hill Road, Delhi-110054



**ATTESTED**  
NOTARY PUBLIC DELHI  
GOVT. OF INDIA  
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