

Extracts from File No. NHVI 5 (1)/73 dt. 23.5.74

LIGHTING OF PORTIONS OF NATIONAL HIGHWAYS IN DELHI

Under Section 2 (1) of the National Highways Act 1956 portions lying within Municipal areas are not National Highways. However, on account of their special importance such sections of the roads in Delhi have been retained as National Highways. The responsibility for lighting National Highways does not rest with the Government of India, as traffic on these highways move under its own light.

2. Sanctioning of lighting of the central verge between Ashram and Okhla on Delhi — Mathura Road, National Highway No. 2, was done as a very special case. Such departures, if repeated, would invite requests from other States to light similar portions of National Highways within Municipal limits.

3. The Ministry of Law gave a ruling on 14th April, 1971, that since under Section 4 of National Highways Act, 1956, all National Highways vest in the Union and since in view of the provisions of Section 298 of the Delhi Municipal Act 1957, the portions of National Highways falling within the Municipal areas do not vest in the Corporation, the latter has no liability to light the National Highways. Therefore, the Central Government is responsible for lighting the National Highways falling within the jurisdiction of Delhi Municipal Corporation/Cantt. Board. The Ministry of Finance therefore, agreed as a special case to sanction the provision of lighting of Dhaula Kuan to Palam take off Section.

4. The Delhi Admn. were requested in July 1971 to send a detailed estimate for the work. On receipt of the estimate, the case was referred to the Ministry of Finance for their concurrence in the proposal to sanction an estimate amounting to Rs. 7.29 lakhs for the work. The Ministry of Finance suggested that we should again obtain Ministry of Law's opinion whether the lighting of portions of National Highways in Delhi is the responsibility of the Municipal Corporation or ours. The case was accordingly referred to them for advice. They reversed their earlier ruling that the Delhi Municipal Corpn./Cantt. Board had no liability to light the sections of National Highways in Delhi. They expressed the view that this responsibility devolved on the Corpn. This would hold good in respect of Cantt. also.

5. Besides the proposal to light Dhaula Kuan-Palam take off section of N.H. 8, mentioned in the preceding paragraph, we have also under consideration the proposal to provide street lighting on Delhi-Mathura road, N.H. 2 from Okhla road junction to Delhi Haryana Border at an estimated cost of Rs. 12.84 lakhs.

6. It is to be decided in the meeting as to how lighting is to be provided in the two sections of National Highways in Delhi, referred to in the above paragraphs.