

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

ORIGINAL APPLICATION NO.611 OF 2024

IN THE MATTER OF:

BHARATIYA KISAN UNION PURWA

THROUGH ITS SECRETARY --- APPLICANT

VERSUS

UNION OF INDIA & ORS. --- RESPONDENTS

**ACTION TAKEN REPORT ON BEHALF OF RESPONDENT**

**NO.3/NMCG**

MOST RESPECTFULLY SHOWETH:-

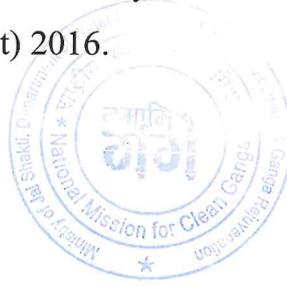
1. That the applicant has alleged in the present Original Application that the Rail Vikas Nigam Ltd. And its associate company M/said Cementation Pvt.Ltd. commenced the construction of the Rail Bridge between Daragnaj and Junsi without obtaining the prior permission/NOC from Respondent No.3 i.e. NMCG as per the provisions of River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016.
2. That the respondent No.3 i.e.NMCG vide reply dt.24.09.24, 11.11.24, 19.03.25 and 21.07.25 has replied in detail along with annexures the communications received from respective authorities and the action taken.

The Project which is subject of this Original Application was sanctioned by the Railway Board as part of rebuilding of IZZAT Bridge No.111 in 2003-2004 pink book of Indian Railway and subsequently re-sanctioned in the year 2015-2016. The River Ganga (Rejuvenation, Protection and Management) Authorities Order 2016 notified on 7<sup>th</sup> Oct. 2016.

3. That in the reply dt.21.07.25 NMCG has stated that the cell constituted by the NMCG consisting of experts from various organization has considered the proposal/application given by Rail Vikas Nigam Ltd. For the NOC of the Project. That after considering various aspects like the study report submitted by IIT, Roorke, substantial work completion and the National Importance of the project, the Project was approved with certain conditions to be followed by the Project Proponent.
4. That it is submitted that there is nothing on record to indicate that the construction of the bridge has caused any adverse impact on the river or its environment.
5. That the answering respondent has carefully considered the construction of the bridge between Daraganj and Junsi by Rail Vikas Nigam Ltd. without obtaining the mandatory NOC from the answering respondent/NMCG.
6. That taking into consideration the provisions of Environmental Protection Act and River Ganga (Rejuvenation, Protection and Management) 2016 the competent authority of the answering respondent has issued a Show Cause Notice dt.16.10.25 to The Project Director, M/s.Rail Vikas Nigam Ltd. The Show Cause Notice has given 15 days' time to reply and after

considering the reply the answering respondent will initiate appropriate action as stated in the Show Cause Notice dt.16.10.25. The copy of the Show Cause Notice is annexed as *Annexure-R1*.

7. That the answering respondent is committed to protecting the River Ganga and its tributaries as mandated by the River Ganga (Rejuvenation, Protection and Management) 2016.



Respondent

No.3/NMCG

Through

Gigi.C.George, Advocate

Standing Counsel(UOI)

Ch.No.457, Lawyers Block-I

Delhi High Court, New Delhi

Email: [gigicgeorge.adv42@yahoo.in](mailto:gigicgeorge.adv42@yahoo.in)

25-10-2025

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**NOTICE TO SHOW CAUSE**

**Subject:** Execution of Project without Prior Approval of NMCG – Violation of Para 42 of Notification S.O. 3187(E) dated 07.10.2016 issued under the Environment (Protection) Act, 1986 – Reg.

**Reg:**

1. Letter no. RVNL/BSB/G/111/Corr/32/782 dated 02.09.2024;
2. NMCG Letter no. TE-12015/3/2023-o/o ED(Tech) NMCG dated 18.03.2025.

- 1) **WHEREAS**, the National Mission for Clean Ganga (NMCG) has been constituted under the provisions of the Environment (Protection) Act, 1986 as an authority, vide Government of India Notification No. S.O. 3187(E) dated 7<sup>th</sup> October, 2016 [hereinafter referred to as '*the Notification*'], to exercise powers and perform functions, inter- alia, for prevention, control and abatement of environmental pollution in River Ganga and to ensure its continuous and adequate flow so as to rejuvenate the River Ganga;
- 2) **AND WHEREAS**, M/s Rail Vikas Nigam Limited (RVNL) undertook a Project, involving construction of a rail bridge No 111 between Daraganj and Jhusi, [herein after referred to as '*Project*'] at an estimated cost of about Rs 480/-Cr, with a view to enhancing connectivity across River Ganga in the region;
- 3) **AND WHEREAS**, the said project was initiated and completed including all the engineering works, hydrological piling works, etc. prior to its permission application being submitted to the NMCG on 02.09.2024 by M/s RVNL;
- 4) **AND WHEREAS**, the issue regarding the construction of *the Project* is seized before the Hon'ble National Green Tribunal (NGT) in the matter of Original Application 611 of 2024-Bharatiya Kisan Union (Purwa) Versus UOI &Ors.
- 5) **AND WHEREAS**, *the initiation and completion of the "Project" by M/s RVNL without obtaining prior approval from the NMCG in accordance with the provisions of para 42 of the Notification, constitutes contraventions and violations of the mandatory requirements, as contemplated under the provisions of para 42 of the notification which, inter-alia, provides as under:*

“Para 42 -Every person, the State Ganga Committees, District Ganga Protection Committees, local authorities and other authorities *shall obtain prior approval of the National Mission for Clean Ganga (NMCG)* for the matters, relating to River Ganga and any area abutting River Ganga or its tributaries with respect to, inter-alia, *construction of bridges and associated roads and embankments over the River Ganga or at its River Bank or its flood plain area, etc.;*

- 6) **AND WHEREAS**, Para 39 of the *Notification* provides functions of the NMCG and amongst others, clause (c) of the said para provides that NMCG shall identify or cause to be identified the specific threats to the River Ganga and its tributaries in areas abutting River Ganga and its tributaries, including the remedial actions to be taken for rejuvenation and protection of River Ganga and its tributaries;
- 7) **AND WHEREAS**, Para 41(2) & (3) of *the Notification* empowers NMCG to direct any person, authority, Board or Corporation to take such measures which may be necessary for prevention, control and abatement of pollution, rejuvenation, protection and management of the River Ganga and its tributaries;
- 8) **NOW, THEREFORE**, in view of the above and in exercise of power conferred under Para 8 read with Para 41(3) of *the Notification*, you are hereby directed to show cause, within 15 days of the receipt of the notice, as to why this matter be not taken up for determining the penalties under E(P)Act, 1986, and as amended by Jan Vishwas (Amendment of provisions) Act, 2023 or any other suitable action for the default. Failure to respond within the stipulated time will result in confirmation of appropriate directions and initiation of proceedings without further notice.

  
(Rajeev Kumar Mital)  
Director General, NMCG

To,

Project Director, Ganga Bridge, 111 (Jhusi – Daraganj), Jhusi Prayagraj  
Rail Vikas Nigam Limited (M/s RVNL), UP- 211019

**Copy to:**

1. The Chairman and Managing Director,  
Rail Vikas Nigam Ltd. (RVNL)1st Floor,  
August Kranti Bhavan, Bhikaji Cama Place, R.K.Puram, New Delhi, 110066  
Email: [cmdrvnl@rvnl.org](mailto:cmdrvnl@rvnl.org)
2. The Chairman, Railway Board, Ministry of Railways  
Rail Bhawan, Raisina Road, New Delhi, 110001.  
Email: [crb@rb.railnet.gov.in](mailto:crb@rb.railnet.gov.in)