

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI**

M.A. No. 22/2025

In

Original Application No. 131/2024

News item titled "Uttarakhand HC License expired why is floating hotel running?" appearing in the Times of India dated 07.01.2024

Date of hearing: 10.02.2025

**CORAM: HON'BLE MR. JUSTICE PRAKASH SHRIVASTAVA, CHAIRPERSON
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Respondent: Mr. Gigi. C. George, Adv. for NMCG (Through VC)

ORDER

1. This MA has been registered on the basis of the report dated 14.06.2024 filed by the National Mission for Clean Ganga (NMCG) in compliance with the order dated 12.02.2024 passed by the Tribunal in OA No. 131/2024.

2. In the OA, registered *suo motu* based on a news item, the issue under consideration was operation of a floating hotel in Tehri Lake inspite of expiry of license and consequential pollution in river Ganga.

3. The Tribunal by order dated 12.02.2024 had disposed of the OA after taking note of the pending PIL and directing as under:

“xxxxxx.....xxx

5. On the same issue, PIL has been entertained and High Court is examining the matter, therefore, in order to avoid parallel proceedings, we do not intend to proceed further in this original application.

6. However, it requires consideration by the National Mission for Clean Ganga (NMCG) if such an activity is permissible under River Ganga (Rejuvenation, Protection and Management) Authorities

Order, 2016, as amended vide River Ganga (Rejuvenation, Protection and Management) Authorities (Amendment) Order 2024 vide notification dated 10.01.2024 and to take appropriate action.

7. NMCG is directed to examine this issue and submit the report before Registrar General of this Tribunal within two months by e-mail at judicial-ngt@gov.in preferably in the form of searchable PDF/ OCR Support PDF and not in the form of Image PDF and if found necessary, matter will be listed for consideration to examine the said limited issue.”

4. In the report dated 14.06.2024, the NMCG has admitted that the activity of a floating hotel in the midst of lake/water body is regulated under the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016, but the report does not disclose that NMCG itself has initiated any action. The stand of NMCG in the report is as under:

“xxxxxx.....xxx
4. That as regards the permissibility of the above said activity of running a floating hotel in the midst of the lake/ water body, the provisions of the River Ganga (Rejuvenation, Protection and Management) Authorities Order, 2016 provides, amongst other, in paragraph 6 (3), and 42 of the Authority's Order contemplates seeking prior approval in certain matters, by every person, the State Ganga Committees, District Ganga Protection Committees, local authorities and other authorities, from the NMCG, on the set of activities including any other activity which contravenes the principles laid out in paragraph 4 which the NMCG may specify.

5. Therefore, in view of the foregoing, the matter was examined in the NMCG, it has been decided that this activity attracts the provision of Para 42 (g) read with Para 4 (ix) of the Authorities Order, 2016, and therefore, requires approval from NMCG. All concerned are requested to take up further necessary action in the matter at the earliest.”

5. If there is no legal impediment and there is no order of any competent court preventing the NMCG to take action in accordance with law in terms of the 2016 Order, then the NMCG is required to ensure compliance of the provisions of the 2016 Order.

6. Learned Counsel appearing for NMCG seeks one week time to obtain instructions in this regard.

7. List on 01.05.2025.

Prakash Shrivastava, CP

Dr. A. Senthil Vel, EM

February 10, 2025
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