

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL PRINCIPAL
BENCH, NEW DELHI
ORIGINAL APPLICATION NO. 974 OF 2024

IN THE MATTER OF:

Jitender Nishad

Applicant

Versus

State of Uttar Pradesh

Respondent

I N D E X

Sr. No.	Particulars	pages
1.	Copy of the order dated 04.11.2024 passed By this Tribunal in OA No. 974 of 2024	
2.	Copy of the order dated 09.11.2024 passed by the office of District Officer, Prayagraj	
3.	Copy of the track report Of the Postal Department	
4.	Copy of the joint inspection report Dated 19.11.2023	
5.	Copy of the joint inspection report Dated 16.11.2023	
6.	Copy of the letter dated 16.11.2024 District officer, Prayagraj to Police Commissioner, Prayagraj Mandal	
7.	Copy of the letter dated 16.11.2024 District officer, Prayagraj to Sh. Surender Kumar Police	
8.	Copy of the track report Of the Postal Department	

9. Copy of the letter dated 16.11.2024
District officer, Pragyraj to
M/s Ramragan Constructions
10. Copy of the letter dated 16.11.2024
District officer, Pragyraj to
Sh. Ravi Shankar Shukla
11. Copy of the track report
Of the Postal Department

Respondent No.



Through

[MUKESH VERMA]
Advocate for respondent No. 03
Ch. No. 50, Old Block,
Supreme Court of India,
New Delhi -110 001
(M): 9810108098
E-mail: mvermadv@gmail.com

New Delhi
Dated: 28.11.2024

Item No. 15

Court No. 2

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

Original Application No. 974/2024

Jitendra Nishad

Applicant

Versus

State of Uttar Pradesh

Respondent(s)

Date of hearing: 04.11.2024

**CORAM: HON'BLE MR. JUSTICE SUDHIR AGARWAL JUDICIAL MEMBER
HON'BLE DR. AFROZ AHMAD, EXPERT MEMBER**

Applicant: None

Respondents: Mr. Mukesh Verma, Advocate for DM and Mining Department (through VC)
Mr. Atif Suhrawardy and Mr. Pankaj Kumar, Advocates for CPCB

ORDER

1. A letter petition dated 13.12.2023 sent by Jitendra Nishad was registered as Original Application (hereinafter referred to as 'OA) under Section 14 and 15 of National Green Tribunal Act, 2010 (hereinafter referred to as 'NGT Act, 2010') in exercise of *suo-moto* jurisdiction in view of law laid down by Supreme Court in "*Municipal Corporation of Greater Mumbai vs. Ankita Sinha & Ors.*" reported in 2021 SCC Online SC 897. 2.

2. Complainant had said that in Sand Block Vidyapeeth and Mahewa Baswar as also Madaripur and Sadiyapur, illegal sand mining was being carried on in river bed and river stream of Yamuna in utter violation of environmental laws causing damage to aquatic animals/environment besides public revenue. No CCTV camera has been installed. The violators

are not being checked by concerned authorities and openly illegal mining is being carried out on river bank and stream by using hundreds to boats.

3. Tribunal after being *prima facie* satisfied that a substantial question relating to environment has arisen, found it appropriate to obtain a factual report and thus constitute a Joint Committee comprising:-

- i. District Magistrate, Prayagraj;
- ii. Uttar Pradesh Pollution Control Board (hereinafter referred to as 'UPPCB');
- iii. Central Pollution Control Board (hereinafter referred to as 'CPCB') and;
- iv. Integrated Regional Office, Ministry of Environment, Forest and Climate Change, Lucknow.

4. Joint Committee has submitted its report through CPCB, vide letter dated 02.11.2024. Report shows that mining activities were allowed to three mining leaseholders separately at village Vidyapit, Maheva, District Prayagraj, village Baswar, Tehsil Karchana, District Prayagraj and village Adampur (Madaripur to Sadiapur), District Prayagraj. Serious violations of environmental laws and norms have been found and even mid-stream mining has been found in Joint Committee report. Observations mentioned in Joint Committee report and recommendations reads as under:-

***“2.1. Inspection of mining activity at Village Vidyapeeth,
lahewa***

2.1.1. Observations:

Observations based on Joint inspection and available records with RO-MOEF&CC and RO-UPPCB are as follows:

1. *The mining department has granted a mining lease of 8 Hectares total area for sand mining from the River Yamuna at Khand-16 near Village—Madauka, Mirakpur and Mahewa (West) Shri Ravishankar Shok12, S o Shri Pramanand Shukia, Resident—Saraykaji Kadan Urf Miyanpur, Thana—Line Bazar, District-Jaunpur.*
2. *Notice for e-tendering along with e-auction for the lease was issued by the District Magistrate, Prayagraj on 30.05.2020. (A copy of the e-auction notice is annexed as Annexure No. 2)*
3. *Letter of Intent (LoI) for the lease was issued by the District Administration to the Project Proponent (PP) on 11.08.2020. The LoI was issued for 8-hectare mine lease area (Quantity- 92973 m³ per year) for 5 years. (A copy of LoI is annexed as Annexure No. 3)*
4. *The public hearing for the said mining project was conducted on 20.10.2021.(Copy of MoM of public hearing is annexed as Annexure No. 4)*
5. *Environmental Clearance (EC) has been granted for sand mining in the lease area by State Level Environment Impact Assessment Authority (SEIAA), Uttar Pradesh on 08.03.2018 to Smt. Sunita Singh w/o Shri Raviraj Singh, Allahabad, vide letter no. 222/Parya/SEAC./3987/2018 dated 08.03.2018, which was further transferred on 15.10.2020 to Shri Ravi Shankar Shukla S/o Shri Pramanand Shukia, Resident- Saraykaji Kadan Urf Miyanpur, Thana- Line Bazar, District-Jaunpur for period up to 07.03.2023. Further EC was granted/renewed to the Project Proponent on 09.10.2023 for a period up to 30.11.2026. (A copy of EC is annexed as Annexure No. 5)*
6. *The above-mentioned mining lease has been granted by District Magistrate, Prayagraj (Mining Department) for the duration of 01.12.2021 to 30.11.2026.*
7. *The PP was granted Consent to Operate (CTO) under the Water (PCP) Act, 1974, and the Air (PCP) Act, 1981 on 17.11.2023, which is valid from 17.11.2023 to 31.12.2027. (Copy of CTO is annexed as Annexure No. 6)*
8. *As per the mining department. Prayagmys total of 174744 m³ of River Bed Material (RBM) has been excavated by the project proponent (from December 2021 to June 2024). Year wise quantity of mining details is as below:*

Year	Quantity excavated Permitted (m ³)	quantity (m ³)
Dec-2021-Dec 2022	56236	92973
Jan-2023 -Dec- 2023	58691	92973
Jan-2024-June 2024	59S17	92973

9. During the visit, it was observed that the mining operation had not started post-monsoon and preparation for carrying out the mining operation was going on. The representative of the project proponent has informed us that the mining process will begin as soon as the water level on the river banks decreases. Also, no mining operation was observed beyond the lease area at this site.

10. However, the satellite image shows that mining was conducted within and near the above lease area of 8 ha on 09.06.2024 in an unsaturated zone by river boats etc. which is against the Sustainable Sand Mining Guidelines, 2020 and Mining plan, etc. A related satellite image is enclosed as Annexure-7.

11. During the visit, all machinery was found removed from the site. Construction of a temporary camp office was under process. No weighing bridge and display board with mining lease information was available on site.

12. During the visit, following violation with respect to EC & CTO conditions. Mining Plan, Mining guideline etc were observed:

- a) No PTZ camera was found installed at the mining site. It is informed by the representative of the Project Proponent that the PTZ camera will be installed when the mining operation starts.
- b) During the visit, no pillar was found in the lease area. It was informed by the representative of the project proponent that all pillars have been removed due to the monsoon and will be reinstalled when the mining operation starts. Necessary action may be taken by the Mining Department to ensure the installation of a pillar within the lease area.
- c) The project proponent (PP) has been irregular in the submission of the six monthly compliance reports to the Regional Office. SELAA-JP.
- d) The PP has not carried out adequate plantation in compliance with CTO & EC conditions
- e) The PP has not carried out the hydro-geological study.
- f) The PP has not conducted a replenishment study of the area.
- g) The PP has not conducted third-party monitoring of various parameters including ambient air quality etc.
- h) The PP has yet not set up a solar power-mediated lighting system in their site office.
- i) The PP has yet not constructed two toilets and one hand pump in the mine office.
- j) During the visit, it was observed that roads used for the transportation of sand were unpaved and no dust control measures such as water sprinkling, plantation on both sides of the road, etc have been carried out.
- k) The PP has yet not conducted the digital processing of the entire lease area so far.

2.2. Inspection of sand mining activity at Village Baswar 2.2.1. Observations:

Observation based on Joint inspection and available records with RO-MOEF&CC and RO-UPPCB is as follows:

1. Mining lease of total area 4.69 Hectare has been granted for sand mining from River Yamuna at IChand-14 near Village- Baswar, Tehsil-Karchhana, District-Prayagraj to Shri Surendra Kumar S/o Shri Shivinurti Bharatiy, Resident-village-Bemi, Post- Garapur Thana- Tharwai, Tehsil-Phulpur, District-Prayagraj by Mining department.
2. Notice for E- tendering along with E- auction for the lease was issued by the District Magistrate, Prayagraj on 07.09.2017. (E- auction notice is annexed as Annexure No. 8)
3. Letter of Intent (LoI) for the lease was issued by the District Administration to the Project Proponent (PP) on 11.05.2022. The LoI was issued for 4.69 hectares mine lease area (Quantity- 70454 m³ per year) for the period of 5 years. (Copy of LoI is annexed as Annexure No. 9)
4. Environmental Clearance (EC) has been granted for mining in the lease area by State Level Environment Impact Assessment Authority (SEIAA), Uttar Pradesh on 08.03.2018 as amended on 21.12.2022. Further, EC is extended on 29.05.2023 for a period up to the revised LoI/ approved mining plan whichever is earliest. (A copy of EC is annexed as Annexure No. 10)
5. The PP was granted Consent to Operate (CTO) under the Water (PCP) Act, 1974, and the Air (PCP) Act, 1981 on 24.04.2023, which is valid from 24.04.2023 to 31.12.2027. (Copy of CTO is annexed as Annexure No. 11)
6. The above-mentioned mining lease has been granted by District Magistrate, Prayagraj (Mining Department) for the duration of 09.01.2023 to 08.01.2028.
7. As per the mining department, Prayagraj, total of 108517 m³ of minerals has been excavated by the project proponent (from January 2023 to October 2024). Year-wise quantity of mining details are as below:

Year	Quantity excavated Permitted (m ³)	quantity (m ³)
Jan, 2023-Dec, 2023	70453	70454
Jan, 2024-Oct, 2024	38064	7045.1

8. During the visit, no pillar was found in the lease area. It is informed by the representative of the project proponent that all pillars have been

removed due to the monsoon and will be reinstalled when the mining operation starts. Necessary action may be taken by the District Mining Department to ensure the installation of a pillar within the lease area.

9. During the visit, it was observed that the mining operation had not started post-monsoon and preparation for carrying out the mining operation was going on. It is informed by the representative of the project proponent that the mining process will begin as soon as the water level on the river banks decreases. Also, no mining operation was observed beyond the lease area at this site.

10. However, the satellite image on dated 09.06.2024 shows that mining was conducted within and near the above lease area of 4.69 ha, which is against the Sustainable Sand Mining Guidelines, 2020 and Mining plan, etc. A related satellite image is enclosed as Annexure-7.

11. Satellite image dated 09.06.2024, clearly reflected that the mining was conducted within the lease area and outside of the lease area (within the river) by using large number of river boats, etc. which is against the mining plan.

12. During the visit, all machinery was found removed from the site except the weighing bridge. Temporary camp office was installed at the site with a computer. A display board with the name of Project Proponent was available on camp office

13. During the visit, following violation with respect to EC & CTO conditions. Mining Plan, Mining guideline etc were observed:

- a) No PTZ camera was found installed at mining site. It is informed by the representative of the Project Proponent that the PTZ camera will be installed when the mining operation starts.
- b) The project proponent (PP) has been irregular in the submission of the six monthly compliance reports to the Regional Office. SELAA-UP. and UPPCB.
- c) The PP has not carried out adequate plantation in compliance of CTO & EC conditions.
- d) The PP has yet not carried out the hydro-geological study so far.
- e) The PP has not conducted a replenishment study of the area.
- f) The PP has not conducted third-party monitoring of various parameters including ambient air quality etc.
- g) Roads used for the transportation of sand were unpaved and no dust control measures such as water sprinkling, plantation on both sides of the road. etc have been carried out.
- h) As per the EC 2018, it is stated that the CSR plan with a minimum
Its 5 Lakh work to be executed with the installation of five

hand pump. solar light in the village of street and construction of the two toilets at the primary school, etc." No such work has been done so far.

- i) The PP has yet not conducted the digital processing of the entire lease area so far.

2.3. Inspection of sand mining activity at Village Adampur (Madaripur to Sadiyapur)

2.3.1. Observations:

Observation based on Joint inspection and available records with RO-MOEF&CC and RO-UPPCB is as follows:

1. Mining lease of total area 5 Hectare has been granted for sand mining from River Yamuna at Ithand -21 in Village- Adampur (Madaripur to Sadiyapur) to M/s Ram Ratan Construction. Shri Ram Ratan Nishad S o Late Lallu Lal, Resident- 6/41 Nai Jhunsi Bazar. Thana- Jhunsi. Tehsil Phulpur. District-Prayagraj by Mining department.
2. Notice for e-tendering along with e-auction for the lease was issued by the District Magistrate, Prayagraj on 20.05.2020. (e-auction notice is annexed as Annexure No. 12)
3. Letter of Intent (LoI) for the lease was issued by the District Administration to the Project Proponent (PP) on 24.12.2020. The LoI was issued for 5-hectare mine lease area (Quantity- 15000 m³ per year) for the period of 5 years. (A copy of LoI is annexed as Annexure No. 13)
4. First Environmental Clearance (EC) has been granted for mining in the lease area by State Level Environment Impact Assessment Authority (SEIAA), Uttar Pradesh on 10.01.2018 which was further transferred on 19.10.2021 to M/s Ram Ratan Construction for a period up to one year. Further EC was granted to the Project Proponent on 15.12.2023. (A copy of EC is annexed as Annexure No. 14)
5. The Project Proponent has not obtained Consent to Operate (CTO) under the Water (PCP) Act, 1974. and the Air (PCP) Act, 1981.
6. The above-mentioned mining lease has been granted by District Magistrate, Prayagraj (Mining Department) for the duration of 01.12.2021 to 30.11.2026.
7. As per the Mining department, Prayagraj total 15675 m³ of River Bed Material (RBM) has been excavated by the project proponent (from December 2021 to June 2024). Year-wise quantity of mining details are as below:

Year	Quantity excavated (m ³)	Permitted quantity (m ³)
Dec, 2021-Dec, 2022	8175	15000
Jan, 2023-Dec, 2023	6438	15000
Jan, 2024-June 2024	1062	15000

8. No mining operation was observed during the site visit. Path preparation for the movement of the vehicle was also observed at the site. It is informed by the representative of the project proponent that the mining process has not started yet. However, a small heap of sand was found stored in the lease area. No mining operation was observed beyond the lease area at this site.

9. However, the satellite image on dated 09.06.2024 shows that mining was conducted within and near the above lease area of 5 ha, which is against the Sustainable Sand Mining Guidelines, 2020 and Mining plan, etc. A related satellite image is enclosed as Annexure-7

10. During the visit, no machinery was found on site. No temporary camp office was found on site. No weighing bridge and display board with mining lease information was available on site.

11. During the visit, following violation with respect to EC & CTO conditions. Mining Plan, Mining guideline etc were observed:

- a) No PTZ camera was found installed at the mining site. It is informed by the representative of the Project Proponent that the PTZ camera will be installed when the mining operation starts.
- b) During the visit, no pillar was found in the lease area. It is informed by the representative of the project proponent that all pillars have been removed due to the monsoon and will be reinstalled when the mining operation starts. Necessary action may be taken by the Mining Department to ensure the installation of a pillar within the lease area.
- c) The project proponent (PP) has been irregular in the submission of the six monthly compliance reports to the Regional Office, SEIAA-UP, and UPPCB.
- d) The PP has not carried out adequate plantation in compliance with CTO & EC conditions.
- e) The PP has not carried out the hydro-geological study as per the EC condition.
- f) The PP has not accrued out replenishment study of the area.
- g) The PP has not conducted third-party monitoring of various parameters including ambient air quality etc.

- h) *During the visit, it was observed that roads used for the transportation of sand were unpaved and no dust control measures such as water sprinkling, plantation on both sides of the road. etc have been carried out as per EC condition.*
- i) *The PP has yet not conducted the digital processing of the entire lease area so far.*

3. Other Observations:

1. *District Survey Report (DSR) has been prepared for minor mineral excavation by the District Environment Impact Assessment Authority, Allahabad. and District Mining Officer- Allahabad. Department of Geology and Mining Uttar Pradesh on 05.09.2017. Updation of DSR is under process. A copy of the DSR report is annexed as Annexure-15.*
2. *The mining department carried out a Replenishment Study in rivers Vamuna & Ganga at Prayagraj through Central Planning & Design Institute Limited in December 2022. No replenishment study has been carried out in subsequent years i.e. 2023 & 2024. A copy of the Replenishment Study (December 2022) is enclosed as Annexure-16.*
3. *It is informed by the mining department that Mining Form-MM11 is generated when any vehicle is transported from the mining site and Form-NLM11 is checked at the check post by the task force constituted by the mining department from time to time. The camera is also installed at the checkpoint.*
4. *During the visit, storage of sand within the 5 km from the lease area was observed. In this regard, it is informed by the mining department that some stored sand within the 5 km of lease area has been seized earlier. However, the committee observed that more actions are required by the Mining Department to stop the illegal storage of sand. A copy of the Action taken by the Mining Department is annexed as Annexure-17.*
5. *Satellite image showed that significant mining activity was found within the lease and outside of the lease area by using large number of boats etc to excavate better quality of sand from the main stream of the river, which is completely against the mining plan, EC. CTO stipulations.*
6. *As per the specific condition of the EC the "Number of mining projects are coming up in district, department of Geology and mines can carry out Regional EIA-EMP report including carrying capacity of environmental components to assess the capacity of further bear the pollution load for such area within 1 year and submit the same to SEIAA-UP for evaluation". It has been found that no such study has been done so far.*

7. As per the specific condition of the EC the "Department of Geology & Mines, GoUP in consultation with the UPPCB will establish the required number of CAAQMS in the district within the period of one year and submit ego-referenced map of these station along with data. Details of existing CAAQMS, if any, be submitted within the period of three months. It has been found that no such action has been taken so far.

8. As per the specific condition of the EC the "Large number of mining projects are ongoing as well as new mining leases are coming up in the district. A reference be sent to DGM and MS. SPCB for preparing mitigation plan for controlling air pollution in the district especially in mining areas". It has been found that no such action has been taken so far.

The Directorate of Geology and Mining will ensure the conduct of replenishment study from reputed institutes for subsequent years in compliance of Hon'ble NGT order. The quantity mentioned in LoI or quantity mentioned in the replenishment study, whichever is less, would be the maximum quantity that the project proponent may extract. It will be ensured by the District Administration and Geology and Mining Department.

4. Recommendations:

Based upon the above observations, Joint Committee recommends as below:

1. Mining Department shall take necessary action against all leases, who have done mining not as per the approved mining plan and illegal mining found near the lease area in River Lamuna.
2. Based on the above observation, it has been found that the yearly Replenishment study of the area has not been done either by the Mining Department or the concerned project. SEIAA-UP has already stipulated related conditions in the Environmental Clearance issued to above listed project. The Mining Department to take cognizance and submit the report before SEIAA-UP at the earliest.
3. The Mining Department should take necessary action against all the illegal storage of sand around the mining lease area.
4. UPPCB shall take necessary action against all three Project Proponents for violation of CTO conditions. UPPCB should take necessary action against the lessee M/s Ram Ratan Construction, who has operated the mine without valid Consent to Operate (CTO) under the Water (PCP) Act, 1974, and the Air (PCP) Act, 1981.
5. Non-compliance has been observed by the Joint Committee during the inspection of the area. SEIAA-UP should take immediate actions (issue SHOW CAUSE), as MoEF&CC delegated the power to SEIAA-UP vide notification no. S.O.637 (E) dated 28.02.2014. It has been observed that the lessee Shri Surender Kumar, Village: Baswar (Khand 14) obtained first EC vide letter no. 229/Parya/SEAC/3989/2018

dated 08.03.2018, which has been amended vide letter no. 315/Parya/SEIAA/3989/2022 dated 21.12.2022 and EC validity extension was done vide letter no. 62/Pluya/SEIAA/3989/2022 dated 29.05.2023. Overall, the above project was discussed and amended in SEIAA-UP three times within five years, whereas, compliance, of various stipulations made under this has not been considered, and found worse on ground. Because of the above SEIAA-UP may obtain certified compliance report (CCR) of project before appraisal for actual improvement of compliance.

7. Mining Department, LTPPCB. SEIAA may ensure proper compliance of Sustainable Sand Mining Guideline, 2020.

8. All three project proponents should comply the following:

- a) *Project Proponents should make necessary arrangements for water sprinkling for dust control on the road for transportation. NOC from the State Ground Water Authority is required if project proponents meet their water requirement through bore-well.*
- b) *Project Proponents should carry out a hydro-geological study and submit a report to the concerned authorities.*
- c) *In compliance with the MoEF&CC order dated 14.06.2024, Project Proponents are requested to upload six monthly compliance reports on the PARIVESH 2.0 portal.*
- d) *Project Proponents should provide adequate plantation as per the condition of the CTO and EC."*

5. The report also shows serious lapses on the part of District Mining Authorities as also Officials of Pollution Control Board in as much as District Mining Authorities have not cared to ensure mining activities on the part of Proponents strictly in accordance with mining plan and authorities of UP Pollution Control Board and SEIAA have not cared to ensure compliance of the conditions of environmental Clearance and Consent. Lapses on the part of SEIAA, UP is more serious in as much as in respect of Proponent- Surendra Kumar who has carried out mining activities at village Baswar, it has been found that in a period of five years his EC was amended and extension was allowed three times without caring as to whether conditions of initial EC granted have been complied with or

not and this is a serious lapse and non-application of mind on the part of SEIAA.

6. In these facts and circumstances, we find it appropriate to implead following as respondents:-

1. State of UP through additional Chief Secretary, Environment, Forest and Climate Change, 101, 'B' Block, Lok Bhawan, U.P. Secretariat, Lucknow - 226001.
2. State Level Environment Impact Assessment Authority, State of UP through Member Secretary, 101, 'B' Block, Lok Bhawan, U.P. Secretariat, Lucknow - 226001.
3. UP Pollution Control Board through Member Secretary, Building No. TC-12 V, Vibhuti Khand, Gomti Nagar, Lucknow - 226010.
4. Ministry of Environment, Forest and Climate Change, New Delhi through its Secretary, Indira Paryavaran Bhawan, Jor Bagh Road, Aliganj, New Delhi - 110003.
5. District Magistrate, Prayagraj, District Magistrate Office, Collectorate, Prayagraj - 211002, Uttar Pradesh.
6. Director Geology and Mining, UP, Lucknow, Directorate of Geology and Mining, Khanij Bhawan, 27/8, Ram Mohan Rai Marg, Lucknow - 226001.
7. Police Commissioner, Prayagraj, 35, M.G. Marg, Civil Lines, Prayagraj - 211001, Uttar Pradesh.
8. CPCB through Member Secretary, Parivesh Bhawan, East Arjun Nagar, Shahdara, Delhi - 110032.
9. Ravi Shankar Shukla, son of Parmanand Shukla, R/o of Sarai Kaji, Kadam urf Miyapur, PS line Bazaar District Jaunpur

10. Surender Kumar, son of Shivmurthy Bharti R/o village Berui, post Garapur Thana Tharbai, Taehil Phoolpur, District Prayagraj
11. M/s Ram Ratan Construction, Proprietor Sri Ramjatan Nishad, Son of late Lallu Lal, R/o 6 /41, Nai Jhosi Bazaar, Thana Jhosi, Tehsil Phoolpur, District Prayagraj.

7. On behalf of District Magistrate, Prayagraj i.e respondent 5 and Director Geology and Mining, UP i.e. respondent 6, notice has been accepted by Sh. Mukesh Verma, Advocate.

8. On behalf of CPCB, i.e. respondent 8, Mr. Atif Suhrawardy, Advocate has accepted notice.

9. The office shall issue notices to all the respondents except respondent 5 and 8.

10. Respondents may file their response within 2 weeks after receipt of notice.

11. Respondents 9, 10 and 11, in addition to normal mode of service to be served by the registry, notices shall also be served upon them through District Magistrate, Prayagraj and he shall file service report within 10 days.

12. Considering serious violations and extent of damage being caused to river hydrology and ecology as also flora and fauna by carrying out even mid stream mining, other serious violations and following 'Precautionary' principle as enshrined under section 20 of NGT Act, 2010 to protect environment from any further damage, we direct that respondents 9, 10

and 11 shall not be allowed any mining activities until further orders of this Tribunal.

13. District Magistrate, Prayagraj and Police Commissioner, Prayagraj shall ensure compliance of this order with respect of restraint on mining activities by respondents 9, 10 and 11.

14. List on 29.11.2024.

Sudhir Agarwal, JM

Dr. Afroz Ahmad, EM

November 04, 2024
Original Application No. 974/2024
AB

कार्यालय जिलाधिकारी, प्रयागराज।

(खनन अनुभाग)

पत्रांक: 2170/खनिज/2024-25

दिनांक: 09/11/2024

आदेश

मा0 राष्ट्रीय न्यायाधिकरण, नई दिल्ली द्वारा ओ0ए0 संख्या-974/2024 जितेन्द्र निषाद बनाम उ0प्र0 राज्य व अन्य में पारित आदेश दिनांक 04.11.2024 के कार्यकारी आदेश निम्न प्रकार हैं:-

12. Considering serious violations and extent of damage being caused to river hydrology and ecology as also flora and fauna by carrying out even mid stream mining, other serious violations and following 'Precautionary' principle as enshrined under section 20 of NGT Act, 2010 to protect environment from any further damage, we direct that respondents 9, 10 and 11 shall not be allowed any mining activities until further orders of this Tribunal.
13. District Magistrate, Prayagraj and Police Commissioner, Prayagraj shall ensure compliance of this order with respect of restraint on mining activities by respondents 9, 10 and 11.

प्रश्नगत प्रकरण में जनपद प्रयागराज के साधारण बालू के निम्न तीन खनन पट्टे आच्छादित हैं:-

क्र0 सं0	पट्टाधारक का नाम	खनन पट्टा क्षेत्र का विवरण				स्वीकृत अवधि
		तहसील	ग्राम	खण्ड संख्या	रकबा (हे0 में)	
1	श्री सुरेन्द्र कुमार पुत्र स्व0 शिवमूर्ति भारतीय निवासी ग्राम बेरुई, पो0-गारापुर, धरवई, फूलपुर, प्रयागराज।	करछना	बसवार (यमुना नदी)	14	4.69	09.01.2023 से 08.01.2028 तक
2	श्री रविशंकर शुक्ला पुत्र श्री परमानन्द शुक्ला निवासी सरायकाजी कादन उर्फ मियाँपुर, थाना-लाईन बाजार, जनपद-जौनपुर	करछना	मड़ोका, भीरकपुर, महवा पट्टी परिचम (यमुना नदी)	खण्ड संख्या-16	8.00	01.12.2021 से 30.11.2026
3	मे0 राम रतन कन्सल्टेशन प्रो0 श्री रतन कुमार निषाद पुत्र स्व0 लल्लू लाल निवासी 6/41 नई झूसी बाजार, थाना-झूसी, तहसील-फूलपुर, प्रयागराज	सदर	आदमपुर, नवारीपुर से सदियापुर (यमुना नदी)	खण्ड संख्या-21	5.00	01.12.2021 से 30.11.2026

अतः मा0 राष्ट्रीय हरित न्यायाधिकरण, नई दिल्ली द्वारा पारित आदेश दिनांक 04.11.2024 के अनुपालन में उपरोक्त साधारण बालू के तीनों खनन पट्टों में खनन कार्य मा0 राष्ट्रीय हरित न्यायाधिकरण के अग्रिम आदेशों तक के लिए पूर्णतयः प्रतिबन्धित किया जाता है।

(रविन्द्र कुमार माँदड़)
जिलाधिकारी, प्रयागराज।

पत्रांक व दिनांक तदैव।

प्रतिलिपि-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. प्रमुख सचिव, भूतत्व एवं खनिकर्म विभाग, उ0प्र0 शासन, लखनऊ।
2. आयुक्त, प्रयागराज मण्डल, प्रयागराज।
3. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ0प्र0, खनिज भवन, लखनऊ।
4. श्री मुकेश वर्मा, अधिवक्ता (जिलाधिकारी तथा खनन विभाग के लिए) मा0 राष्ट्रीय हरित न्यायाधिकरण, नई दिल्ली।
5. संयुक्त निदेशक/ प्रभारी अधिकारी, भूतत्व एवं खनिकर्म विभाग, उ0प्र0, क्षेत्रीय कार्यालय, प्रयागराज।

6. उपजिलाधिकारी, करछना/सदर, प्रयागराज को इस निर्देश के साथ प्रेषित कि उक्त आदेश का कड़ाई से अनुपालन सुनिश्चित कराया जाय।
7. सहायक पुलिस आयुक्त, करछना/सदर, प्रयागराज को इस निर्देश के साथ प्रेषित कि उक्त आदेश का कड़ाई से अनुपालन सुनिश्चित कराया जाय।
8. ज्येष्ठ खान अधिकारी/खान निरीक्षक, प्रयागराज को इस निर्देश के साथ प्रेषित कि उक्त आदेश का कड़ाई से अनुपालन सुनिश्चित कराया जाय।
9. क्षेत्रीय अधिकारी, उप्र0 प्रदूषण नियंत्रण बोर्ड, प्रयागराज।
10. श्री सुरेन्द्र कुमार पुत्र स्व0 शिवमूर्ति भारतीय निवासी ग्राम बेरुई, पौ0-गारापुर, थरवई, फूलपुर, प्रयागराज को अनुपालनार्थ।
11. श्री रविशंकर शुक्ला पुत्र श्री परमानन्द शुक्ला निवासी सरायकाजी कादन उर्फ मियाँपुर, थाना-लाईन बाजार, जनपद-जौनपुर को अनुपालनार्थ।
12. मे0 राम रतन कन्सल्टेशन प्रो0 श्री रतन कुमार निषाद पुत्र स्व0 लल्लू लाल निवासी 6/41 नई झूसी बाजार, थाना-झूसी, तहसील-फूलपुर, प्रयागराज को अनुपालनार्थ।

रतन कुमार निषाद
11-11-2024

(रविन्द्र कुमार माँदड़)
जिलाधिकारी, प्रयागराज
9/11/24

<Dial 18002666868> <Wear Masks, Stay Safe> भारतीय डाक

RUI50568494IN IVR:8285150568494
RL SUBHASH NGR SO <211002>
Counter No:1,13/11/2024,11:14
To:NIKESH VERMA,
PIN:110001, New Delhi GPO
From:D H.,
Wt:20gms,REG=17.0
Amt:25.96,Tax:3.96,Amt.Paid:26.00(Cash)
<Track on www.indiapost.gov.in>

<Dial 18002666868> <Wear Masks, Stay Safe> भारतीय डाक

RUI50568503IN IVR:8285150568503
RL SUBHASH NGR SO <211002>
Counter No:1,13/11/2024,11:14
To:RAVI SHANKAR,
PIN:222001, Jaunpur HO
From:D H.,
Wt:20gms,REG=17.0
Amt:25.96,Tax:3.96,Amt.Paid:26.00(Cash)
<Track on www.indiapost.gov.in>

<Dial 18002666868> <Wear Masks, Stay Safe> भारतीय डाक

RUI50568517IN IVR:8285150568517
RL SUBHASH NGR SO <211002>
Counter No:1,13/11/2024,11:14
To:SURENDRA KUMAR,
PIN:221507, Sahson SO
From:D H.,
Wt:20gms,REG=17.0
Amt:25.96,Tax:3.96,Amt.Paid:26.00(Cash)
<Track on www.indiapost.gov.in>

RUI50568477IN IVR:8285150568477
RL SUBHASH NGR SO <211002>
Counter No:1,13/11/2024,11:14
To:RAH RATAN,
PIN:212402, Phoolpur SO
From:D H.,
Wt:20gms,REG=17.0
Amt:25.96,Tax:3.96,Amt.Paid:26.00(Cash)
<Track on www.indiapost.gov.in>

<Dial 18002666868> <Wear Masks, Stay Safe> भारतीय डाक

RUI50568485IN IVR:8285150568485
RL SUBHASH NGR SO <211002>
Counter No:1,13/11/2024,11:14
To:PRANUKKH SACHIV,
PIN:226001, Lucknow GPO
From:D H.,
Wt:20gms,REG=17.0
Amt:25.96,Tax:3.96,Amt.Paid:26.00(Cash)
<Track on www.indiapost.gov.in>



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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Subhash Ngr SO	13/11/2024 11:16:56	222001	25.96	Registered Letter	Jaunpur HO	16/11/2024 16:50:20

Event Details For : RU150568503IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
16/11/2024	16:50:20	Jaunpur Kty SO	Item Delivered(Addressee)
16/11/2024	11:32:02	Jaunpur Kty SO (Beat Number:2)	Not Delivered NO SUCH PERSON IN THE ADDRESS
16/11/2024	11:06:44	Jaunpur Kty SO	Out for Delivery
16/11/2024	08:43:20	Jaunpur Kty SO	Item Received
16/11/2024	01:31:50	MA Jaunpur TMO	Item Dispatched
16/11/2024	00:33:00	MA Jaunpur TMO	Item Received
16/11/2024	00:26:37	Jaunpur RMS L2R	Item Dispatched
15/11/2024	22:07:37	Jaunpur RMS L2R	Item Bagged
15/11/2024	18:54:49	Jaunpur RMS L2R	Item Received
15/11/2024	18:08:26	MA Jaunpur TMO	Item Dispatched
15/11/2024	17:57:26	MA Jaunpur TMO	Item Received
15/11/2024	04:10:57	MA RSTMO VARANASI RMS	Item Dispatched
15/11/2024	04:05:58	MA RSTMO VARANASI RMS	Item Received
14/11/2024	16:04:29	Mail Agency Prayagraj RMS	Item Dispatched
14/11/2024	06:45:41	Mail Agency Prayagraj RMS	Item Received
14/11/2024	05:02:40	Prayagraj RMS - L1R	Item Dispatched
14/11/2024	01:30:56	Prayagraj RMS - L1R	Item Bagged

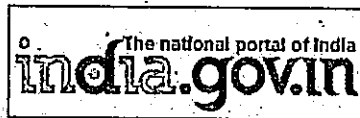
715

13/11/2024	21:12:17	Prayagraj RMS - L1R	Item Received
13/11/2024	20:23:19	Mail Agency Prayagraj RMS	Item Dispatched
13/11/2024	20:07:30	Mail Agency Prayagraj RMS	Item Received
13/11/2024	15:24:32	Subhash Ngr SO	Item Dispatched
13/11/2024	15:22:41	Subhash Ngr SO	Item Bagged
13/11/2024	11:16:56	Subhash Ngr SO	Item Booked

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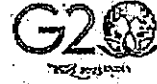
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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Subhash Ngr SO	13/11/2024 11:16:56	222001	25.96	Registered Letter	Jaunpur HO	16/11/2024 16:50:20

Event Details For : RU150568503IN

Current Status : Item Delivered (Addressee)

Date	Time	Office	Event
16/11/2024	16:50:20	Jaunpur Kty SO	Item Delivered (Addressee)
16/11/2024	11:32:02	Jaunpur Kty SO (Beat Number:2)	Not Delivered NO SUCH PERSON IN THE ADDRESS
16/11/2024	11:06:44	Jaunpur Kty SO	Out for Delivery
16/11/2024	08:43:20	Jaunpur Kty SO	Item Received
16/11/2024	01:31:50	MA Jaunpur TMO	Item Dispatched
16/11/2024	00:33:00	MA Jaunpur TMO	Item Received
16/11/2024	00:26:37	Jaunpur RMS L2R	Item Dispatched
15/11/2024	22:07:37	Jaunpur RMS L2R	Item Bagged
15/11/2024	18:54:49	Jaunpur RMS L2R	Item Received
15/11/2024	18:08:26	MA Jaunpur TMO	Item Dispatched
15/11/2024	17:57:26	MA Jaunpur TMO	Item Received
15/11/2024	04:10:57	MA RSTMO VARANASI RMS	Item Dispatched
15/11/2024	04:05:58	MA RSTMO VARANASI RMS	Item Received
14/11/2024	16:04:29	Mail Agency Prayagraj RMS	Item Dispatched
14/11/2024	06:45:41	Mail Agency Prayagraj RMS	Item Received
14/11/2024	05:02:40	Prayagraj RMS - L1R	Item Dispatched
14/11/2024	01:30:56	Prayagraj RMS - L1R	Item Bagged

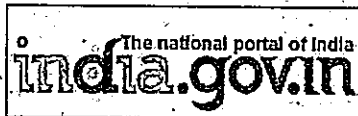
717

13/11/2024	21:12:17	Prayagraj RMS - L1R	Item Received
13/11/2024	20:23:19	Mail Agency Prayagraj.RMS	Item Dispatched
13/11/2024	20:07:30	Mail Agency Prayagraj.RMS	Item Received
13/11/2024	15:24:32	Subhash Ngr SO	Item Dispatched
13/11/2024	15:22:41	Subhash Ngr SO	Item Bagged
13/11/2024	11:16:56	Subhash Ngr SO	Item Booked

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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location
Subhash Ngr SO	13/11/2024 11:16:56	221507	25.96	Registered Letter	Sahson SO

Event Details For : RU150568517IN

Current Status : Dispatched to BO

Date	Time	Office	Event
14/11/2024	12:20:03	Sahson SO	Dispatched to BO
14/11/2024	11:12:59	Sahson SO	Item Received
14/11/2024	07:20:49	Mail Agency Prayagraj RMS	Item Dispatched
14/11/2024	07:03:47	Mail Agency Prayagraj RMS	Item Received
14/11/2024	06:57:38	Prayagraj RMS - L1R	Item Dispatched
14/11/2024	04:41:09	Prayagraj RMS - L1R	Item Bagged
13/11/2024	21:47:43	Prayagraj RMS - L1R	Item Received
13/11/2024	20:23:19	Mail Agency Prayagraj RMS	Item Dispatched
13/11/2024	20:13:39	Mail Agency Prayagraj RMS	Item Received
13/11/2024	15:24:32	Subhash Ngr SO	Item Dispatched
13/11/2024	15:23:02	Subhash Ngr SO	Item Bagged
13/11/2024	11:16:56	Subhash Ngr SO	Item Booked

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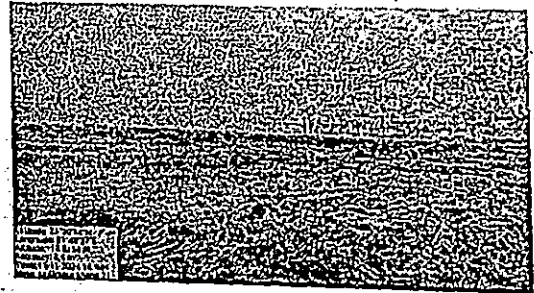
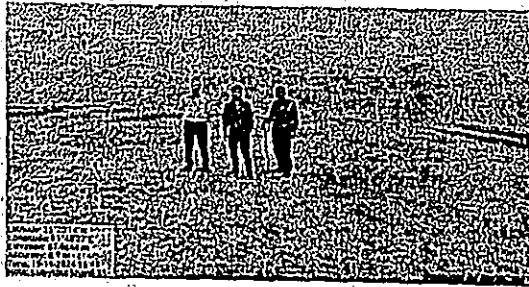
Recruitments

संयुक्त जाँच आख्या

मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 सं0-974/2024 जितेन्द्र निषाद बनाम उ0प्र0 राज्य व अन्य में पारित आदेश दिनांक 04.11.2024 के अनुपालन में आदेश सं0-2170/खनिज/2024-25 दिनांक 09.11.2024 द्वारा जनपद प्रयागराज के तीन साधारण बालू खनन पट्टा को अग्रिम आदेशों तक के लिए प्रतिबन्धित किया गया है। आदेशानुसार उपजिलाधिकारी, सदर, नायब तहसीलदार सदर, प्रभारी निरीक्षक, थाना करैली एवं खान निरीक्षक, प्रयागराज द्वारा संयुक्त रूप से तहसील सदर के अन्तर्गत आने वाला साधारण बालू के खनन पट्टा क्षेत्र जिसे प्रतिबन्धित किया गया है का स्थलीय निरीक्षण दिनांक 19.11.2024 को किया गया है। स्थलीय निरीक्षण आख्या निम्न प्रकार है:-

जनपद प्रयागराज के तहसील सदर स्थित ग्राम-आदमपुर, मदारीपुर से सदियापुर यमुना नदी के साधारण बालू खण्ड सं0-21 रकबा-5.00हे0 क्षेत्रफल में खनन पट्टा में रामरतन कन्सट्रक्शन प्रो0 श्री रतन कुमार निषाद पुत्र स्व0 लल्लू लाल निवासी 6/41 नई झूसी बाजार, थाना-झूसी, तहसील फूलपुर, प्रयागराज के पक्ष में दिनांक 01.12.2021 से 30.11.2026 तक के लिए स्वीकृत/निष्पादित है। मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 सं0-974/2024 जितेन्द्र निषाद बनाम उ0प्र0 राज्य व अन्य में पारित आदेश दिनांक 04.11.2024 के अनुपालन में आदेश सं0-2170/खनिज/ 2024-25 दिनांक 09.11.2024 द्वारा उक्त खनन क्षेत्र में खनन सक्रियता अग्रिम आदेशों तक के लिए पूर्णतयः प्रतिबन्धित कर दी गयी है।

स्थलीय निरीक्षण के समय उक्त खनन पट्टा क्षेत्र में किसी प्रकार की खनन सक्रियता नहीं पायी गयी है। खनन पट्टा क्षेत्र में कोई भी सीमा स्तम्भ तथा पी0टी0जेड0 कैमरा स्थापित नहीं है। उक्त खनन पट्टा क्षेत्र में पट्टाधारक का कोई भी कार्मिक/प्रतिनिधि उपस्थित नहीं था। स्थलीय जाँच के समय लिये गये मौके के फोटोग्राफ निम्नवत् है:-



उपरोक्तानुसार संयुक्त जाँच आख्या सादर सेवा में प्रेषित है।

[Signature]
प्रभारी निरीक्षक
थाना-करैली, प्रयागराज।

[Signature]
खान निरीक्षक
प्रयागराज।

[Signature]
नायब तहसीलदार
सदर, प्रयागराज।

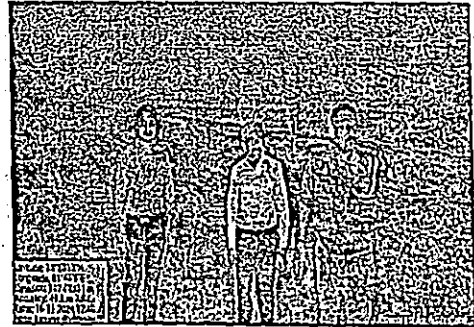
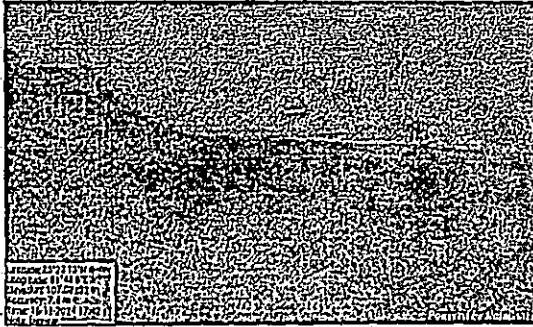
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19/11/2024
उपजिलाधिकारी,
सदर, प्रयागराज।

संयुक्त जॉच आख्या

मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० सं०-974/2024 जितेन्द्र निषाद बनाम उ०प्र० राज्य व अन्य में पारित आदेश दिनांक 04.11.2024 के अनुपालन में आदेश सं०-2170/खनिज/2024-25 दिनांक 09.11.2024 द्वारा जनपद प्रयागराज के तीन साधारण बालू खनन पट्टा को अग्रिम आदेशों तक के लिए प्रतिबन्धित किया गया है। आदेशानुसार तहसीलदार करछना, प्रभारी निरीक्षक, थाना नैनी, खान निरीक्षक, प्रयागराज तथा राजस्व निरीक्षक करछना, प्रयागराज द्वारा संयुक्त रूप से तहसील करछना के अन्तर्गत आने वाली 02 साधारण बालू के खनन पट्टा क्षेत्र जिसे प्रतिबन्धित किया गया है का स्थलीय निरीक्षण दिनांक 16.11.2024 को किया गया है। स्थलीय निरीक्षण आख्या निम्न प्रकार है:-

जनपद प्रयागराज के तहसील करछना स्थित ग्राम-बसवार यमुना नदी के साधारण बालू खण्ड सं०-14 रकबा-4.69हे० क्षेत्रफल में खनन पट्टा श्री सुरेन्द्र कुमार पुत्र स्व० शिवमूर्ति भारतीय निवासी ग्राम-बेरुई, पोस्ट-गारापुर, थरवई, फूलपुर, प्रयागराज के पक्ष में दिनांक 09.01.2023 से 08.01.2028 तक के लिए स्वीकृत/निष्पादित है। मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० सं०-974/2024 जितेन्द्र निषाद बनाम उ०प्र० राज्य व अन्य में पारित आदेश दिनांक 04.11.2024 के अनुपालन में आदेश सं०-2170/खनिज/2024-25 दिनांक 09.11.2024 द्वारा उक्त खनन क्षेत्र में खनन संक्रिया अग्रिम आदेशों तक के लिए पूर्णतयः प्रतिबन्धित कर दी गयी है।

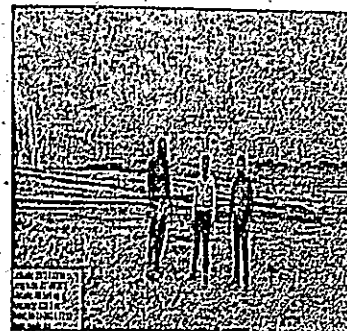
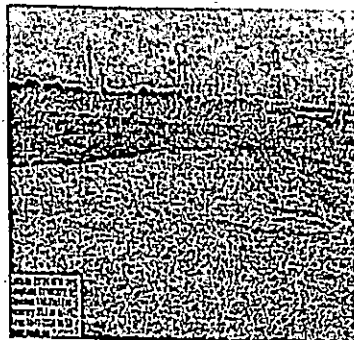
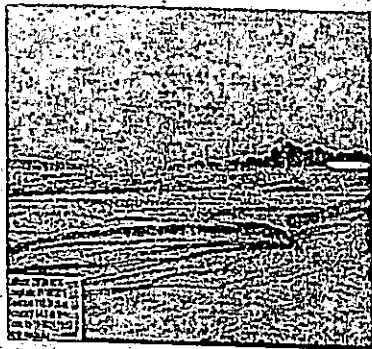
स्थलीय निरीक्षण के समय उक्त खनन पट्टा क्षेत्र में किसी प्रकार की खनन संक्रिया नहीं पायी गयी है। खनन पट्टा क्षेत्र में कोई भी सीमा स्तम्भ तथा पी०टी०जेड० कैमरा स्थापित नहीं है। खनन पट्टा क्षेत्र के मोहने पर बे-ब्रिज स्थापित था, परन्तु बन्द अवस्था में पाया गया। उक्त खनन पट्टा क्षेत्र में पट्टाधारक का कोई भी कार्मिक/प्रतिनिधि उपस्थित नहीं था। स्थलीय जॉच के समय लिये गये मौके के फोटोग्राफ निम्नवत् है:-




जनपद प्रयागराज के तहसील करछना स्थित ग्राम-मडौका, मीरखपुर, महेवा पट्टी पश्चिम यमुना नदी के साधारण बालू खण्ड सं०-16 रकबा-8.00हे० क्षेत्रफल में खनन पट्टा श्री रवि शंकर शुक्ला पुत्र श्री परमानन्द शुक्ला निवासी-सरायकाजी, कादन उर्फ मियाँपुर, थाना-लाइन बाजार, जनपद-जौनपुर के पक्ष में दिनांक 01.12.2021 से 30.11.2028 तक के लिए स्वीकृत/निष्पादित है। मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० सं०-974/2024 जितेन्द्र निषाद बनाम उ०प्र० राज्य व अन्य में पारित आदेश दिनांक 04.11.2024 के अनुपालन में आदेश सं०-2170/खनिज/2024-25 दिनांक 09.11.2024 द्वारा उक्त खनन क्षेत्र में खनन संक्रिया अग्रिम आदेशों तक के लिए पूर्णतयः प्रतिबन्धित कर दी गयी है।

✓

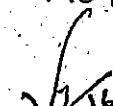
स्थलीय निरीक्षण के समय उक्त खनन पट्टा क्षेत्र में किसी प्रकार की खनन संक्रिया नहीं पायी गयी है। खनन पट्टा क्षेत्र में कोई भी सीमा स्तम्भ तथा पी0टी0जेड0 कैमरा स्थापित नहीं है। खनन पट्टा क्षेत्र के मोहने पर बे-ब्रिज स्थापित था, परन्तु बन्द अवस्था में पाया गया। उक्त खनन पट्टा क्षेत्र में पट्टाधारक का कोई भी कार्मिक/प्रतिनिधि उपस्थित नहीं था। स्थलीय जाँच के समय लिये गये मौके के फोटोग्राफ निम्नवत् है:-



उपरोक्तानुसार संयुक्त जाँच आख्या सादर सेवा में प्रेषित है।



16/11/21

राजेश्वर निरीक्षक सवाल
करछना, प्रयागराज
क्षेत्र.....
तह०-करछना, प्रयागराज


16/11/21
खान निरीक्षक
प्रयागराज।


16/11/21

प्रभारी निरीक्षक
थाना-नैनी,
प्रयागराज।


तहसीलदार
करछना, प्रयागराज।

प्रेषक,
जिलाधिकारी,
प्रयागराज।
सेवा में,
पुलिस आयुक्त,
प्रयागराज मण्डल, प्रयागराज।

पत्रांक 186 खनिज/2024-25

दिनांक: 16/11/2024

विषय: मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 सं0-974/2024 जितेन्द्र निषाद बनाम उ0प्र0 राज्य व अन्य में पारित आदेश दिनांक 04.11.2024 के सम्बन्ध में।

महोदय,

कृपया विषयगत प्रकरण के सम्बन्ध में अवगत कराना है कि मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 सं0-974/2024 जितेन्द्र निषाद बनाम उ0प्र0 राज्य व अन्य में पारित आदेश दिनांक 04.11.2024 के कार्यकारी अंश निम्नवत् हैं:-

12. Considering serious violations and extent of damage being caused to river hydrology and ecology as also flora and fauna by carrying out even mid stream mining, other serious violations and following 'Precautionary' principle as enshrined under section 20 of NGT Act, 2010 to protect environment from any further damage, we direct that respondents 9, 10 and 1 shall not be allowed any mining activities until further orders of this Tribunal.

13. District Magistrate, Prayagraj and Police Commissioner, Prayagraj shall ensure compliance of this order with respect of restraint on mining activities by respondents 9, 10 and 11.

उक्त आदेश के अनुपालन में विषयगत याचिका से सम्बन्धित जनपद प्रयागराज के साधारण बालू तीन खनन पट्टों को आदेश संख्या-2170/खनिज/2024-25 दिनांक 09.11.2024 द्वारा अग्रिम आदेशों तक के लिए खनन सक्रियता से पूर्णतया प्रतिबन्धित कर दिया गया है। प्रतिबन्धित खनन पट्टों का विवरण निम्न प्रकार है:-

क्र0 सं0	पट्टाधारक का नाम	खनन पट्टा क्षेत्र का विवरण				स्वीकृत अवधि
		तहसील	ग्राम	खण्ड संख्या	रकबा (हे0 में)	
1	2	3	4	5	6	7
1	श्री सुरेन्द्र कुमार पुत्र स्व0 शिवमूर्ति भारतीय निवासी ग्राम बेरुई, पो0-गाणपुर, थरवई, फूलपुर, प्रयागराज।	करछना	यसवार (यमुना नदी)	खण्ड संख्या-14	4.69	09.01.2023 से 08.01.2028 तक
2	श्री रविशंकर शुक्ला पुत्र श्री परमानन्द शुक्ला निवासी संरायकाजी कादन उर्फ मिर्घापुर, थाना-लाईन बाजार, जनपद-जौनपुर	करछना	मड़ोका, मीरकपुर, महैया पट्टी पश्चिम (यमुना नदी)	खण्ड संख्या-16	8.00	01.12.2021 से 30.11.2026
3	मे0 राम रतन कन्सट्रक्शन प्रो0 श्री रतन कुमार निषाद पुत्र स्व0 लल्लू लाल निवासी 6/41 नई झूंसी बाजार, थाना-झूंसी, तहसील-फूलपुर, प्रयागराज	सादर	आदमपुर, मंदासीपुर से सदियापुर (यमुना नदी)	खण्ड संख्या-21	5.00	01.12.2021 से 30.11.2026

अतः मा0 राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ0ए0 सं0-974/2024 जितेन्द्र निषाद बनाम उ0प्र0 राज्य व अन्य में पारित आदेश दिनांक 04.11.2024 तथा खनन पट्टा प्रतिबन्धित किये जाने सम्बन्धित आदेश दिनांक 09.11.2024 की प्रतियाँ सादर सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित की जा रही है।

संलग्नक-यथोक्त।

भवदीय
16/11/24
(पूजा मिश्रा)
अपर जिलाधिकारी (प्रशासन)
प्रयागराज।
9C

कार्यालय जिलाधिकारी, प्रयागराज।

(खनन अनुभाग)

पत्रांक 2188/खनिज/2024-25

दिनांक: 6/11/2024

नोटिस

श्री सुरेन्द्र कुमार
पुत्र स्व० शिवमूर्ति भारतीय
निवासी ग्राम बेरुई, पो० गारापुर,
थरवई, फूलपुर, प्रयागराज।

जनपद प्रयागराज के तहसील करछना स्थित ग्राम बसवार यमुना नदी खण्ड संख्या-14 रकबा-4.690 हे० क्षेत्रफल में साधारण बालू का खनन पट्टा दिनांक 09.01.2023 से 08.01.2028 तक आपके पक्ष में स्वीकृत/निष्पादित है। मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० संख्या-974/2024 जितेन्द्र निषाद बनाम उ०प्र० राज्य व अन्य में पारित आदेश दिनांक 04.11.2024 के अनुपालन में आदेश संख्या-2170/खनिज/2024-25 दिनांक 09.11.2024 द्वारा उक्त खनन पट्टे में खनन सक्रिय अग्रिम आदेशों तक के लिए प्रतिबन्धित कर दी गयी है।

मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० सं०-974/2024 में पारित आदेश दिनांक 04.11.2024 के बिन्दु-2.2 के बिन्दु-13 में निम्नलिखित अनियमितताओं को दर्शाया गया है:-

13. During the visit, following violation with respect to EC & CTO conditions. Mining Plan, Mining guideline etc were observed:

- No PTZ camera was found installed at mining site. It is informed by the representative of the Project Proponent that the PTZ camera will be installed when the mining operation starts.
- The project proponent (PP) has been irregular in the submission of the six monthly compliance reports to the Regional Office, SEIAA-UP, And UP PCB.
- The PP has not carried out adequate plantation in compliance of CTO & EC conditions.
- The PP has yet not carried out the hydro-geological study so far.
- The PP has not conducted a replenishment study of the area.
- The PP has not conducted third-party monitoring of various parameters including ambient air quality etc.
- Roads used for the transportation of sand were unpaved and no dust control measures such as water sprinkling plantation on both sides of the road. Ect have been carried out.
- As per the EC 2018, it is stated that the CSR plan with a minimum,

Its 5 lakh work to be executed with the installation of five hand pump. Solar light in the village of street and construction of the two toilets at the primary school, ect. "No such work has been done so far.

- The PP has yet not conducted the digital processing of the entire lease area so far.

अतः आपको निर्देशित किया जाता है कि उपरोक्त अनियमितताओं के सम्बन्ध में अपना लिखित स्पष्टीकरण संगत साक्ष्यों सहित सात दिन के अन्दर उपलब्ध कराना

सुनिश्चित करें कि क्यों न उक्त अनियमितताओं हेतु उ०प्र० उपखनिज (परिहार) नियमावली-2021 के प्राविधानित नियमों के तहत आपके विरुद्ध कार्यवाही अमल में लायी जाय।

(पूजा मिश्रा)

अपर जिलाधिकारी(प्रशासन)
प्रयागराज।

पत्रांक व दिनांक तदैव।

प्रतिलिपि-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. प्रमुख सचिव, भूतत्व एवं खनिकर्म विभाग, उ०प्र० शासन, लखनऊ।
2. आयुक्त, प्रयागराज मण्डल, प्रयागराज।
3. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०, खनिज भवन, लखनऊ।
4. जिलाधिकारी, प्रयागराज।
5. श्री मुकेश वर्मा, स्थायी अधिवक्ता, मा० राष्ट्रीय हरित न्यायाधिकरण, नई दिल्ली।

(पूजा मिश्रा)

अपर जिलाधिकारी(प्रशासन)
प्रयागराज।

RUI50564784IN IVR:8285150564784
RL: SUBHASH NGR SO (211002)
Counter No:1,19/11/2024,12:35
To:SURENDRA KUMAR,
PIN:212402, Phoolpur SO
From:UPPER DIST. MAGISTRATE,
Wt:20gms, REG=17.0
Amt: 25.96, Tax: 3.96, Amt. Paid: 26.00(Cash)
(Track on www.indianpost.gov.in)



19/11/24

725
Sign In Register



India Post
Dak Sewa-Jal Sewa



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Track Consignment

Quick help

* Indicates a required field.

* Consignment Number

RU150564784IN

Track More

Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Subhash Ngr SO	19/11/2024 12:37:42	221507	25.96	Registered Letter	Phoolpur SO	25/11/2024 16:21:58

Event Details For : RU150564784IN

Current Status : Item Delivered(Addressee)

Date	Time	Office	Event
25/11/2024	16:21:58	Garapur BO	Item Delivered(Addressee)
25/11/2024	12:35:31	Sahson SO	Dispatched to BO
25/11/2024	11:27:33	Sahson-SO	Item Received
23/11/2024	21:16:33	Mail Agency Prayagraj RMS	Item Dispatched
23/11/2024	21:12:24	Mail Agency Prayagraj RMS	Item Received
22/11/2024	16:49:06	Phoolpur SO	Item Dispatched
22/11/2024	16:34:11	Phoolpur SO	Item Bagged
21/11/2024	14:38:14	Phoolpur SO	Item Redirected to Sahson SO Insufficient Address
21/11/2024	12:25:18	Phoolpur SO	Item Received
20/11/2024	07:46:06	Mail Agency Prayagraj RMS	Item Dispatched
20/11/2024	06:20:31	Mail Agency Prayagraj RMS	Item Received
20/11/2024	05:51:47	Prayagraj RMS - L1R	Item Dispatched
20/11/2024	05:07:00	Prayagraj RMS - L1R	Item Bagged
19/11/2024	20:53:01	Prayagraj RMS - L1R	Item Received
19/11/2024	20:10:10	Mail Agency Prayagraj RMS	Item Dispatched
19/11/2024	18:49:06	Mail Agency Prayagraj RMS	Item Received
19/11/2024	15:01:27	Subhash Ngr SO	Item Dispatched

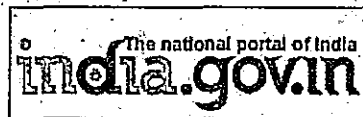
726

19/11/2024	15:01:00	Subhash Ngr SO	Item Bagged
19/11/2024	12:37:42	Subhash Ngr SO	Item Booked

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कार्यालय जिलाधिकारी, प्रयागराज।

(खनन अनुभाग)

पत्रांक 2/87/खनिज/2024-25

दिनांक 6/11/2024

नोटिस

मे० रामरतन कान्सद्रक्शन
 प्रो० श्री रतन कुमार निषाद
 पुत्र स्व० लल्लू लाल निषाद
 नि० 6/41 नई झूंसी बाजार,
 थाना-झूंसी, फूलपुर, प्रयागराज।

जनपद प्रयागराज के तहसील सदर स्थित ग्राम आदमपुर से मदारीपुर से सदियापुर यमुना नदी खण्ड संख्या-21 रकबा-5.00 हे० क्षेत्रफल में साधारण बालू का खनन पट्टा दिनांक 01.12.2021 से 30.11.2026 तक आपके पक्ष में स्वीकृत/निष्पादित है। मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० संख्या-974/2024 जितेन्द्र निषाद बनाम उ०प्र० राज्य व अन्य में पारित आदेश दिनांक 04.11.2024 के अनुपालन में आदेश संख्या-2170/खनिज/2024-25 दिनांक 09.11.2024 द्वारा उक्त खनन पट्टे में खनन संक्रिया अग्रिम आदेशों तक के लिए प्रतिबन्धित कर दी गयी है।

मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० सं०-974/2024 में पारित आदेश दिनांक 04.11.2024 के बिन्दु-2.3 के बिन्दु-9, 10 एवं 11 में निम्नलिखित अनियमितताओं को दर्शाया गया है:-

9. However, the satellite image on dated 09.06.2024 shows that mining was conducted within and near the above lease area of 5 ha, which is against the Sustainable Sand Mining Guidelines, 2020 and Mining plan, etc. A related satellite image is enclosed.

10. During the visit, no machinery was found on site. No temporary camp office was found on site. No weighing bridge and display board with mining lease information was available on site.

11. During the visit, following violation with respect to EC & CTO conditions, Mining Plan, Mining guideline etc were observed:

- No PTZ camera was found installed at the mining site. It is informed by the representative of the Project Proponent that the PTZ camera will be installed when the mining operation starts.
- During the visit, no pillar was found in the lease area. It is informed by the representative of the project proponent that all pillars have been removed due to the monsoon and will be reinstalled when the mining operation starts. Necessary action may be taken by the Mining Department to ensure the installation of a pillar within the lease area.
- The project proponent (PP) has been irregular in the submission of the six monthly compliance reports to the Regional Office, SEIAA-UP and UPPCB.
- The PP has not carried out adequate plantation in compliance with CTO & EC conditions.
- The PP has not carried out the hydro-geological study as per the EC condition.
- The PP has not accrued out replenishment study of the area.

- g. The PP has not conducted third-party monitoring of various parameters including ambient air quality etc.
- h. During the visit, it was observed that roads used for the transportation of sand were unpaved and no dust control measures such as water sprinkling, Plantation on both sides of the road, Etc have been carried out as per EC condition.
- i. The PP has yet not conducted the digital processing of the entire lease area so far.

अतः आपको निर्देशित किया जाता है कि उपरोक्त अनियमितताओं के सम्बन्ध में अपना लिखित स्पष्टीकरण संगत साक्ष्यों सहित सात दिन के अन्दर उपलब्ध कराना सुनिश्चित करें कि क्यों न उक्त अनियमितताओं हेतु उ०प्र० उपखनिज (परिहार) नियमावली-2021 के प्राविधानित नियमों के तहत आपके विरुद्ध कार्यवाही अमल में लायी जाय।

(पूजा मिश्रा)

अपर जिलाधिकारी (प्रशासन)
प्रयागराज।

पत्रांक व दिनांक तदेवं।

प्रतिलिपि-निम्नलिखित को सूचनाार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित-

1. प्रमुख सचिव, भूतत्व एवं खनिकर्म विभाग, उ०प्र० शासन, लखनऊ।
2. आयुक्त, प्रयागराज मण्डल, प्रयागराज।
3. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०, खनिज भवन, लखनऊ।
4. जिलाधिकारी, प्रयागराज।
5. श्री मुकेश वर्मा, स्थायी अधिवक्ता, मा० राष्ट्रीय हरित न्यायाधिकरण, नई दिल्ली।

(Dial 18002668888) (Wear Masks, Stay Safe)

RU1505647751N IVR:8285150564775
RL SURNASH NGR SO (211002)
Counter No: 1, 19/11/2024, 12:35
To: RAN RANA,
PIN: 212402, Phoolpur SO,
From: UPPER DISTT. MAGISTRATE,
Wt: 20gms, REG-17.0
Amt: 25.96, Tax: 5.96, Amt. Paid: 26.00 (Cash)
Track on www.india05vt.gov.in



(पूजा मिश्रा)

अपर जिलाधिकारी (प्रशासन)
प्रयागराज।

(Dial 18002668888) (Wear M...

2199
2187
2188
RU1505647751N IVR:8285150564775
RL SURNASH NGR SO (211002)
Counter No: 1, 19/11/2024, 12:35
To: MUKESH VERMA,
PIN: 110001, New Delhi GPO
From: UPPER DISTT. MAGISTRATE,
Wt: 30gms, REG-17.0
Amt: 31.86, Tax: 4.86, Amt. Paid: 32.00 (Cash)
Track on www.india05vt.gov.in



कार्यालय जिलाधिकारी, प्रयागराज।

(खनन अनुभाग)

पत्रांक: 2/89/खनिज/2024-25

दिनांक: 6/11/2024

नोटिस

श्री रविशंकर शुक्ला
पुत्र श्री परमानन्द शुक्ला
नि० सरायं काजी, कादत उर्फ मियापुर,
थाना लाइन बाजार, जौनपुर।

जनपद प्रयागराज के तहसील करछना स्थित ग्राम मड़ौका, मीरकपुर, महेवा पट्टी पश्चिम यमुना नदी खण्ड संख्या-16 रकबा-8.00 हे० क्षेत्रफल में साधारण बालू का खनन पट्टा दिनांक 01.12.2021 से 30.11.2026 तक आपके पक्ष में स्वीकृत/निष्पादित है। मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० संख्या-974/2024 जितेन्द्र निषाद बनाम उ०प्र० राज्य व अन्य में पारित आदेश दिनांक 04.11.2024 के अनुपालन में आदेश संख्या-2170/खनिज/2024-25 दिनांक 09.11.2024 द्वारा उक्त खनन पट्टे में खनन संक्रिया अग्रिम आदेशों तक के लिए प्रतिबन्धित कर दी गयी है।

मा० राष्ट्रीय हरित अधिकरण, नई दिल्ली द्वारा ओ०ए० सं०-974/2024 में पारित आदेश दिनांक 04.11.2024 के बिन्दु-2.1 के बिन्दु-9, 10, 11 एवं 12 में निम्नलिखित अनियमितताओं को दर्शाया गया है:-

9. During the visit. It was observed that the mining operation had not started post-monsoon and preparation for carrying out the mining operation was going on. The representative of the project proponent has informed us that the mining process will begin as soon as the water level on the river banks decreases. Also no mining operation was observed beyond the lease area at this site.
10. However, the satellite image shows that mining was conducted within and near the above lease area of 8 ha on 09.06.2024 in an unsaturated zone by river boats etc. which is against the Sustainable Sand Mining Guidelines, 2020 and Mining plan, etc. A related satellite image is enclosed.
11. During the visit, all machinery was found removed from the site. Construction of a temporary camp office was under process. No weighing bridge and display board with mining lease information was available on site.
12. During the visit, following violation with respect to EC & CTO conditions, Mining Plan, Mining guideline etc were observed:
 - a. No PTZ camera was found installed at the mining site. It is informed by the representative of the Project Proponent that the PTZ camera will be installed when the mining operation starts.
 - b. During the visit, no pillar was found in the lease area. It was informed by the representative of the project proponent that all pillars have been removed due to the monsoon and will be reinstalled when the mining operation starts. Necessary action may be taken by the Mining Department to ensure the installation of a pillar within the lease area.
 - c. The project proponent (PP) has been irregular in the submission of the six monthly compliance reports to the Regional Office, SEIAA-UP.
 - d. The PP has not carried out adequate plantation in compliance with CTO & EC conditions.
 - e. The PP has not carried out the hydro-geological study.
 - f. The PP has not conducted a replenishment study of the area.

- g. The PP has not conducted third-party monitoring of various parameters including ambient air quality etc.
- h. The PP has yet not set up a solar power-mediated lighting system in their site office.
- i. The PP has yet not constructed two toilets and one hand pump in the mine office.
- j. During the visit, it was observed that roads used for the transportation of sand were unpaved and no dust control measures such as water sprinkling plantation on both sides of the road, etc have been carried out.
- k. The PP has yet not conducted the digital processing of the entire lease area so far.

अतः आपको निर्देशित किया जाता है कि उपरोक्त अनियमितताओं के सम्बन्ध में अपना लिखित स्पष्टीकरण संगत साक्ष्यों सहित सात दिन के अन्दर उपलब्ध कराना सुनिश्चित करें कि क्यों न उक्त अनियमितताओं हेतु उ०प्र० उपखनिज (परिहार) नियमावली-2021 के प्राविधानित नियमों के तहत आपके विरुद्ध कार्यवाही अमल में लायी जाय।

16/11/24
(पूजा मिश्रा)
अपर जिलाधिकारी (प्रशासन)
प्रयागराज।
o/c

पत्रांक व दिनांक तदैव।

प्रतिलिपि-निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. प्रमुख सचिव, भूतत्व एवं खनिकर्म विभाग, उ०प्र० शासन, लखनऊ।
2. आयुक्त, प्रयागराज मण्डल, प्रयागराज।
3. निदेशक, भूतत्व एवं खनिकर्म निदेशालय, उ०प्र०, खनिज भवन, लखनऊ।
4. जिलाधिकारी, प्रयागराज।
5. श्री मुकेश वर्मा, स्थायी अधिवक्ता, मा० राष्ट्रीय हरित न्यायाधिकरण, नई दिल्ली।

16/11/24
(पूजा मिश्रा)
अपर जिलाधिकारी (प्रशासन)
प्रयागराज।
o/c

Track on www.indiapost.gov.in
(Dial 18002666868) (Wear Masks, Stay Safe)

भारतीय डाक

RU150564767IN IVR:8285150564767

RL SUBHASH NGR SO (211002)

Counter No:1, 11/11/2024, 12:35

To: RAVISHANKAR SHUKLA,

Pin: 222001, Jaunpur HO

From: UPPER DIST. MAGISTRATE,

Wt: 20gms, REG=17.0

Am: 25.96, Tax: 3.96, Amt. Paid: 26.00 (Cash)

(Track on www.indiapost.gov.in)

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* Indicates a required field.

* Consignment Number

RU150564767IN

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Booked At	Booked On	Destination Pincode	Tariff	Article Type	Delivery Location	Delivery Confirmed On
Subhash Ngr SO	19/11/2024 12:37:42	222001	25.96	Registered Letter	Jaunpur HO	26/11/2024 18:26:24

Event Details For : RU150564767IN

Current Status : Not Delivered ADDRESSEE CANNOT BE LOCATED

Date	Time	Office	Event
26/11/2024	19:33:46	Jaunpur Kty SO (Beat Number:5)	Not Delivered ADDRESSEE CANNOT BE LOCATED
26/11/2024	18:26:24	Harbaspur BO	Item Delivered (Addressee)
26/11/2024	18:25:52	Jaunpur Kty SO	Dispatched to BO
26/11/2024	11:57:23	Jaunpur Kty SO	Out for Delivery
25/11/2024	18:02:52	Jaunpur Kty SO	Item Onhold Addressee cannot be located
25/11/2024	11:40:43	Jaunpur Kty SO	Out for Delivery
23/11/2024	17:33:57	Jaunpur Kty SO	Item Onhold Addressee cannot be located
23/11/2024	12:29:50	Jaunpur Kty SO	Out for Delivery
22/11/2024	17:38:11	Jaunpur Kty SO	Item Onhold Addressee cannot be located
22/11/2024	11:00:00	Jaunpur Kty SO	Out for Delivery
22/11/2024	08:47:47	Jaunpur Kty SO	Item Received
22/11/2024	06:05:05	MA Jaunpur TMO	Item Dispatched
22/11/2024	05:59:37	MA Jaunpur TMO	Item Received
22/11/2024	05:49:04	Jaunpur RMS L2R	Item Dispatched
22/11/2024	03:00:02	Jaunpur RMS L2R	Item Bagged
21/11/2024	18:50:15	Jaunpur RMS L2R	Item Received
21/11/2024	18:23:34	MA Jaunpur TMO	Item Dispatched

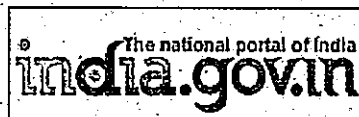
732

21/11/2024	18:09:33	MA Jaunpur TMO	Item Received
21/11/2024	02:15:06	MA RSTMO VARANASI RMS	Item Dispatched
21/11/2024	02:12:39	MA RSTMO VARANASI RMS	Item Received
20/11/2024	19:47:04	Mail Agency Prayagraj RMS	Item Dispatched
20/11/2024	06:55:49	Mail Agency Prayagraj RMS	Item Received
20/11/2024	04:43:15	Prayagraj RMS - L1R	Item Dispatched
20/11/2024	03:19:48	Prayagraj RMS - L1R	Item Bagged
19/11/2024	20:59:44	Prayagraj RMS - L1R	Item Received
19/11/2024	20:10:10	Mail Agency Prayagraj RMS	Item Dispatched
19/11/2024	18:49:06	Mail Agency Prayagraj RMS	Item Received
19/11/2024	15:01:27	Subhash Ngr SO	Item Dispatched
19/11/2024	15:00:37	Subhash Ngr SO	Item Bagged
19/11/2024	12:37:42	Subhash Ngr SO	Item Booked

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