



भारत सरकार

Government of India

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

Ministry of Environment, Forest & Climate Change

एकीकृत क्षेत्रीय कार्यालय, गुवाहाटी/Integrated Regional office, Guwahati

चौथी मंजिल, हौसेफेड इमारत, जी एस रोड , रुक्मिणी गाँव, गुवाहाटी- ७८१०२२

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F.No.3 AS B 110/2020-SHI /648-649

07th July, 2021

सेवा में,

अतिरिक्त प्रमुख सचिव/ Addl. Chief Secretary,
असम सरकार/Govt of Assam,
पर्यावरण और वन विभाग/Environment and Forests Department,
दिसपुर/Dispur, गुवाहाटी/Guwahati-781006.

Sub: Proposal for diversion of 3.63 ha of forest land for Kasomarigaon EPS in Doyang RF under Golaghat in favour of Oil & Natural Gas Corporation Ltd., Jorhat.

Sir,

This has got reference to the State Govt Assam letter F. No.FRS.94/2020/47 dated 12.11.2020 and No. FRS.94/2020/84 dated 19.06.2021 on the subject mentioned above seeking prior approval of the Central Government in accordance with Section 2 of the FCA, 1980.

After careful consideration of the proposal of the State Government of Assam by the Regional Empowered Committee in its meeting held on 20.04.2021 and its recommendation and State Govt letter No. FRS.94/2020/84 dated 19.06.2021, I am to inform that the Central Government hereby conveys its **"In Principle Approval"** for diversion of 3.63 ha of forest land for Kasomarigaon EPS in Doyang RF under Golaghat in favour of Oil & Natural Gas Corporation Ltd., Jorhat, subject to the following conditions:

A. Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

1. The user agency shall transfer, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28/03/2008, 24/04/2008 and 09/05/2008 in Writ petition (Civil) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No 5-3/2007-FC dated 05.02.2009. The requisite funds shall be transferred through online portal into CAMPA account of the State concerned.
2. The user agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal. The scheme may include appropriate for anticipated cost increase for works scheduled for subsequent years;

3. All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA account only through *e-portal* (<https://parivesh.nic.in/>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
4. The User Agency shall obtain the Environment Clearance as per the provisions of Environment (Protection) Act, 1986.
5. The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in/>).
6. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector.
7. The boundary of the diverted forest land, mining lease and safety zone, as applicable, shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from the pillar to pillar and GPS co-ordinates.
8. Violation of any of these conditions will amount to violation of Forest(Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-Fc dated 28.03.2019.
9. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department.

B: Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

1. Legal status of the diverted forest land shall remain unchanged;
2. Compensatory Afforestation shall be raised over 7.26 ha in Compartment No 4, Block No. 1, Khatangpani Range, Doomdooma Division in Tinsukia District of Assam within three years from the date of Stage –II Clearance and maintained thereafter by the State Forest Department at the cost of the User Agency.
3. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India,
4. Period of diversion of the said forest land under this approval shall be for a period co-terminus with the period of the mining lease granted under the Mines and Minerals (Development and Regulation) Act, 1957, as amended and the Rules framed there-under;
5. No labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
6. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government.
7. No damage to the flora and fauna of the adjoining area shall be caused.
8. The layout plan of the mining plan/ proposal shall not be changed without the prior approval of the Central Government.

9. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.
10. The user agency shall explore the possibility of successful translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department.
11. The User Agency shall submit the annual self -compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year.
12. The user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.
13. As per Ministry's letter No 11-30/96-FC(Pt) dt 14.9.2001, if the compliance of stipulated conditions is awaited from the State Govt for more than 5(five) years, the in-principle approval would be summarily revoked considering that the user agency is no longer interested in the project.
14. All other clearance/NOCs under different applicable rules/regulations /local laws and under Forest Dwellers (Recognition of Forest Rights)Act, 2006 as required vide MoEF, New Delhi guideline No.11-9/1998-FC(pt) dated 03.08.2009 shall be complied with.
15. Any other conditions that the Integrated Regional Office, Guwahati, Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.

भवदीय,



(W. Longvah)

वन महानिरीक्षक (केंद्रीय)

Inspector General of Forests(C)

Copy to:

1. प्रधान मुख्य वन संरक्षक/ Principal Chief Conservator of Forests & HoFF, असम सरकार/ Govt of Assam, पर्यावरण और वन विभाग/ Environment and Forest Department, अन्या भवन / Aranya Bhawan, रोप कोवर ज्योति प्रसाद अग्रवाल पथ/ Rop Konwar Jyoti Prasad Agarwal Path, श्रीमंत शंकरदेव कालखेत्र के पास/ Near Srimanta Sankardev Kalakhetra, पंजाबारी/ Panjabari, गुवाहाटी / Guwahati-781037.

वन महानिरीक्षक (केंद्रीय)

Inspector General of Forests(C)