

JOGPL

No. F.21(33A)/JOGPL/AGT/DEV-2A/23-24/ 038

Dated: July 04, 2023

To,
Dy Conservator of Forests (FCA)
Govt. of Tripura
Aranya Bhawan
Gorkhabasti, P. N. Complex
Agartala, Tripura

Subject: Proposal for diversion of 1.368 ha of forest land for construction of drill site, waste pit, accommodation, TSR camp and its approach road at location Dev 2A at mouja- Birendranagar under South Tripura District.

Reference: Your Office letter No.F.6-1100/FC/For-2016/6663-64 dated 7th June 2023

Dear Sir,

This is in reference to your office letter dated 7th June 2023 enclosing letter dated 2nd June 2023 from IRO, Shillong. In their letter IRO has requesting additional information on the proposal as discussed in the REC. JOGPL has been directed to provide additional information as requested at Sr No 2.

Additional Information Sr No 2: The status of transferring of 2% of NPV of the forest land in the PML be submitted to IRO.

Response: Forest Department, Government of Tripura, vide its letter dated 20 April 2022 has raised a demand of Rs 52.5 Crs towards 2% NPV calculated based on forest area falling inside 249 SqKM development area. In this context, JOGPL as Operator of the Block, has sent a letter to Directorate General of Hydrocarbons (JOGPL/AA-ONN-2002/1/DGH/2023/7 dated 22nd June 2023) with copy to Addl Principal Chief Conservator of Forests and Nodal Officer, Tripura conveying Contractor Parties (GAIL and JOGPL) views to keep the PML NPV in abeyance till all other CPs (FD of Development Locations- KL-Dev-37A, KL-Dev-37B and KL-Dev 34-A1 and Dev 2A, Extension to PSC timeline and EC) are met enabling Contractor Parties to carry out a detailed reassessment and rework a realistic forward looking development and production plan. Copy of the letter is attached for your ready reference.

Am
JOGPL Private Limited
CIN:U74899UP1992FTC047880
Regd. & Corporate Office:
No. 15, Knowledge Park II, Greater Noida-201 306,
Distt. GautamBuddh Nagar, Uttar Pradesh, India
Tel: +91 120 7186000
Fax: +91 120 7186240
www.jogpl.ls@jogpl.com



Base Office, Agartala (Tripura)
JOGPL Private Limited
Khyerpur – Amtali By Pass
East Champamura (Das Para)
PS- Old Agartala
Tripura West
Mob- +91 9774034183
Email- admin_tripura@jubilantenergy.com



As FD of Dev 2A is also one of the CPs, we kindly request that the approval of the same may please be granted at the earliest to enable Contractor Parties to move forward.

Thanking You,

Kind Regards,

For JOGPL Private Limited

Anishta Mukherji

Enclosed: Letter No JOGPL/AA-ONN-2002/1/DGH/2023/7 dated 22nd June 2023

Copy to:

1. Tejindar Pal Singh, JOGPL NOIDA
2. B. Oraon, GAIL (India), NOIDA

JOGPL Private Limited

CIN:U74899UP1992FTC047880

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No. 15, Knowledge Park II, Greater Noida-201 306,

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JOGPL/AA-ONN-2002/1/DGH/2023/7

22nd June 2023

To,
Director General,
Directorate General of Hydrocarbons
OIDB Bhawan, Tower-A,
Plot No.-2, Sector-73, Noida
Kind Attention: Mr. Saptadeep Sarma, Coordinator

Sub: Estimate/ proforma bill in respect of PML block of Kathalchari Field Development Petroleum Mining Lease (PLM) in the State of Tripura

Ref: Forest Department, Government of Tripura letter-No.F.6-1331/FC/For-2021/1709-719 dated 20th April 2023

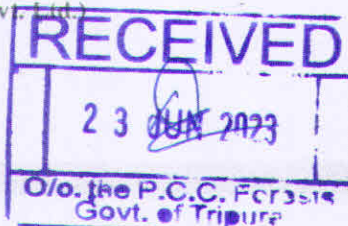
Dear Sir,

The PML application for 249 Sq KM Kathalchari Development area was made on 30th August 2015 along with requisite fees immediately after MC approval of the FDP. Tripura State Government sent in their recommendation to MOPNG on 26th September 2015. DGH informed Contractor on 25th November 2016 that processing of PML has been put on hold pending payment of LD, which issue was then referred to arbitration by the Operator. It was only on 23 Dec 2019 that MOPNG approval for grant of PML for Kathalchari development area was received. This was followed by grant of Petroleum Mining Lease by Directorate of Industries & Commerce, Government of Tripura vide their letter dated Sep 24, 2020. However, the PML so issued was not in compliance with MOEF guidelines wherein Central Government approval under FCA Section 2(iii) is required for the forest area falling under PML before PML can become valid. In accordance with MOEF guidelines, Operator initiated process to obtain approval under FCA 2(iii) and uploaded the proposal with all required documentation on MoEF & CC portal on Dec 2, 2021. As the Tripura State Forest Department did not accept the maps prepared using available information and directed to prepare maps basis site survey. The maps were duly prepared and verified by Tripura Forest Department GIS Lab in Nov 2022. Meanwhile, MoEF notified FC Rules 2022. Sub Rule 5 (a) of Rule 9 of the Forest (Conservation) 2022 provides that, no approval is required for assignment of Petroleum Mining Lease where neither physical possession nor breaking of forest land is involved. Operator thereafter wrote to Nodal Officer (FCA), Tripura to kindly advised us the procedure for further course of action.

Forest Department, Government of Tripura, vide its letter dated 20 April 2022 has raised a demand of Rs 52.5 Crs towards 2% NPV calculated based on forest area falling inside 249 SqKM development area. The copy of the letter is attached.

Contractor in various meetings and communications, has informed DGH that the commencement of KL development activities could not be undertaken due to various statutory and regulatory issues including lack of government approvals required to commence and progress development activities. All these reasons are

JOGPL Private Limited
(formerly known as Jubilant Oil & Gas Pvt. Ltd.)
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outside the control of the Operator. The following condition precedents (CPs) are essential before any forward investments can be planned and committed towards undertaking physical work program in KL-Development:

- 1) PML
- 2) Forest clearance /diversion (FC/FD)
- 3) Force Majeure (FM)/Excusable Delay (ED) on account of delays outside the control of Contractor including grant of FD & PML
- 4) Environment Clearance (EC)

Current Status of these CPs are as follows:

<u>CP</u>	<u>Status</u>
Petroleum Mining License (PML)	<u>DONE:</u> PML grant approved by MOPNG and State Government in Dec'19 and Sept '20 respectively. State Forest now has raised NPV demand of 52.5 Cr
Forest Diversion (FD) for Development locations.	<u>PENDING:</u> Previous applications made in 2015 withdrawn as directed by DGH and Forest department. Fresh applications for 3 locations (KL-Dev-37A, KL-Dev-37B and KL-Dev 34-A1)_made in October 2022 and under review by DFO. KL-Dev 2A: Discussed in REC held on 20.05.2023
Extension to PSC time for initiating development. PSC timeline to commence development within 10 yrs of discovery i.e 29 Dec 2019 which could not be done due to lack of PML and FD	<u>PENDING:</u> Application made to DGH in October 2018 requesting 50 months from PML grant or 40 months from the date of receipt of FC approval to commence development operations.
Environment Clearance (EC)	<u>PENDING:</u> Fresh application made in Aug 2022 after the earlier 2016 application for EC complete after EIA and Public hearings was delisted by MOEF due to delay in response on ESR commitment, post DGH confirmation on cost recovery of such expenditure. ToR received and EIA report being prepared by the Consultant.

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Due to the inordinate delay in grant of CPs, Operator had no other option but to disband in a phased manner its operations team and other resources at site, in order to minimize its costs. Further the FDP approved by Government in August 2015, will need to be re-evaluated keeping in view material changes in costs and time of various activities that may have taken place during this intervening period.

In order to implement the development plan, it is imperative for all the approvals to be in place as a single approval will not allow Operator to take any step. Once all approvals are achieved, Operator would have to carry out a detailed reassessment and rework a realistic forward looking development and production plan which in turn may need to be approved by the respective managements of the Contractor Parties followed by review of the Management Committee. The Contractor Parties are *ad idem* with respect to this way forward. In the recent OC meeting held on 26 May 2023, the Contract Parties agreed that the PML NPV payment could only be made after all the CPs have been met and that the NPV payment should be kept in abeyance till then.

Thank you,

Yours Sincerely,

Tejindar Pal Singh

Operator on behalf of Contractor Parties.

Copy to:

1. Shri, Sanjib Das, 1FS, Additional Secretary to the Government of Tripura
2. Dr. V.G. Jenner IFS, Addl Principal Chief Conservator of Forests and Nodal Officer, FCA, O/o the PCCF, Tripura
3. Mr Rajesh Bagaria, GAIL (India) Limited, Noida

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