

Sub: Proposal for seeking prior approval of the Central Government under Section – 2(iii) of the Forest (Conservation) Act, 1980 for grant of petroleum mining lease (PML) over 75.0 sq Km (7,500 ha) of forest land in favour of Chief Engineer, Oil India Limited, Duliajan in Ningru extension Block, Changlang District in the State of Arunachal Pradesh – regarding

1. State Government of Arunachal Pradesh had submitted the above subject proposal vide their letter no. FOR.642/Cons/2015/1704-06 dated 18.12.2015.
2. The said proposal was discussed in the meetings of Forest Advisory Committee held on **31.12.2015** (FAC minutes are placed in file, **03.05.2016** (FAC minutes are placed in file and **27.06.2019** (FAC minutes are placed).
3. The Ministry of Petroleum and Natural Gas, Government of India has re- granted lease under rule 5(I)(ii) of the Petroleum and Natural Gas rules, 1959 (as amended from time to time) to Oil India Limited over the Ningru Extension Block vide their order no. 0-12012/60/2003-ONG/D-IV dated 23.01.2004
4. The State Government, based in the eco-class and density of forest worked out the 2% NPV to the tune of Rs. 11,11,46,134.
5. Legal status of the land proposed for assignment of the Petroleum Mining Lease is Reserve Forest under Nampong Forest Division (75.0 sq Km or 7,500 ha)
6. However, no physical diversion is involved; proposal is for assignment of forest land by way of Petroleum Mining Lease to OIL only.
7. Density of the vegetation is 0.7 in the scale of 0-1 as per detail below
(a) Very Dense Forests - 44.967 ha
(b) Moderately Dense Forests - 7,125.385 ha
(c) Open Forests - 326.469 ha
(d) Water Body - 3.179 ha
8. Enumeration of the trees is not done on the ground that the proposal is exclusively for grant of Petroleum Mining Lease (PML) for the Ningru Extn. PML block to Oil India Limited (OIL) without any involvement of physical diversion of forest land. After obtaining the PML, OIL will submit location-wise FC proposal(s) as & when required under the F(C) Act, 1980 for the forest land involved in its actual drilling & other activities requiring physical diversion of forest land.
9. The proposed area does not form part of National Park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, etc. Also, as stated, it does not have any rare/endangered/unique species of flora and fauna.
10. No land for CA has been identified and no CA scheme has been submitted on the ground that no physical diversion of forest land is involved; the proposal is exclusively towards grant of Petroleum Mining Lease (PML) for the Ningru Extn. PML block to Oil India Limited only.
10. The Ningru Extn. Block, which covers 75.00 Sq Km of forest land in Arunachal Pradesh and a part of above province, have been identified to be potential areas for hydrocarbon resources and accordingly awarded to OIL by Govt. of India under nomination basis for its Hydrocarbon Exploration & Production (E&P) activities. As, such, the area cannot be changed.
11. No displacement of people is involved.
12. Compliance of Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 has not been submitted on the ground that the proposal do not involve physical diversion of forest land.
13. The State Government has recommended the proposal for approval of the Central Government without any specific condition.
14. The project proponent filed an IA in the Supreme Court praying for exemption of NPV. The Hon'ble Supreme Court, based on the recommendation of the CEC report, vide its order dated 8.8.2014 in I.A. No. 3627 in W.P. (C) No. 202/1995 directed as under:

”Learned counsel representing the applicant states that the conclusions drawn by the Central Empowered Committee (CEC) in its Report dated 25.02.2014 is acceptable to the applicant and that the applicant will make the payment in terms of the determination rendered in paragraph 9 of the Report within four weeks. In view of the statement made by the learned counsel for the applicant, I.A.No.3627 stands disposed of.”

15. Subsequently the Oil India Limited intimated that as per the report of CEC dated 25.02.2014 and above-mentioned order of the Hon’ble Supreme Court, OIL is ready to pay the notional NPV amount at the rate of 2% of the estimated NPV of Rs 3700 crore for renewal/grant of the petroleum mining leases falling in reserved forests with fairly dense vegetation, as and when the demand for such payment is raised by the competent authority.
16. In light of directions contained in the Hon’ble Supreme Court order dated 8.08.2014 and on the request of the State Government the matter was taken up in the Ministry and after thorough consultation with the State Government and the user agency the MoEF&CC vide its letter dated 24.06.2015 has issued Guidelines streamlining the procedure for grant of approval under the Forest (Conservation) Act, 1980 for Petroleum Mining Leases under Petroleum and Natural Gas Rules 1959.
17. The proposal was considered in FAC on 31.12.2015 (**FAC minutes are placed in file** after thorough deliberation FAC recommended that: a. The State Government may be requested to intimate whether PML has already been executed for this area and whether any activity has been taken up in the area. b. The regional office may carry out the inspection of the proposed area and submit the site inspection report clearly indicating whether any activity has been taken up by the user agency in the proposed area.
18. The State Government may also submit the detailed DGPS maps of the area under non-forestry use of forest land as well as the lease area.
19. The observations of FAC were forwarded to the State Government of Arunachal Pradesh vide this Ministry’s letter dated 19.01.2016 . The State Government of Arunachal Pradesh vide their letter no. FOR.642/Cons/2015/288-90 dated 10.03.2016 submitted their reply as under:

S. N.	Information sought by FAC	Reply submitted by State Govt.
1.	The state Government may be requested to intimate whether PML has already been executed for this area and whether any activity has been taken up in the area.	In this regard the State Government informed that, as per information provided by the M/s Oil India Limited, so far no Petroleum Mining Lease has been executed for the Ningru Extension PML block. Though the Ministry of Petroleum and Natural Gas had conveyed its approval for grant of PML w.e.f. 04.06.2003 for 20 years but the State Government of Arunachal Pradesh has so far not executed the mining lease pending prior approval under the Forest (Conservation) Act, 1980. Further, reported by the user agency that 3 wells, namely PBA, PBA -1, & PBB, drilled in the Ningru Extension Block after obtaining the approval under the Forest (Conservation) Act, 1980. However, no records to this affect are available in this Office.
2.	The regional office may carry out the inspection of the proposed area and submit the site inspection report clearly indicating whether any activity has been taken up by the user agency in the proposed area.	In this regard the Regional Office informed that the Site Inspection Report has been carried out by the CCF (C) Shillong and submitted to this Ministry vide RO’s letter No. 8-118/2006-FC (Vol.)/3573-75 dated 28.03.2016 .
3.	The state government may also submit the detailed DGPS maps of the area under non forestry use of forest land as well as the lease area.	In this regard the State Government informed that as far as submission of detailed DGPS maps of the are under non-forestry use of forest land is concerned, it is submitted that the DGPS maps are under preparation and will be submitted to MoEF & CC by the M/s. Oil India Limited, directly.

20. The forest land under consideration has been inspected by Regional office (North East Zone), Shillong and the inspection report as submitted by the Regional Office (North East Zone), Shillong vide their letter dated 28.03.2016 ([Pg. 116-125/ToC](#)) are as below: -

i. Legal status of the forest land proposed for diversion:

The legal status as mentioned in the forwarding letter No.FOR.642/Cons/2015/dated 18.12.2015 is 7500 ha or 75.0 sq.km Reserved Forest .In Part —II Sl.No.7 (iv) the area of the forest land proposed is 75.00 ha in Koriapani R.F. The DFO, Namsai had carried out the site inspection for 75.00 ha in Koriapani on 21.08.2015. The Chief Conservator of Forests, Southern Arunachal Circle had also carried out the site inspection for 75.00 ha on 14.10.2015. There is a difference of 7425 ha of forest land which has not been inspected by the DFO and the CCF. As per the SOI Toposheet 83 M/14 & 83 M/15 submitted in the proposal only the Koriapani R.F was depicted. The rest of the area inside the proposed 75 sq kms Mining lease was not shown as a Reserved Forests in the map authenticated by the Divisional Forest Officer, Nampong Forest Division ([Annexure-2](#)). The observation in the field duly signed by the DFO Nampong Oil India representative and CCF Central, MoEF & CC, R.O, Shillong. Therefore, the area of the reserved forest as mentioned in the letter No FOR.642/Cons/2015/ Dated 18.12.2015 addressed to the Ministry is not at all factual.

ii. Item wise break-up details of the forest land proposed for diversion:

This is a mining lease proposed over an area of 75 sq. km, there is no breakup.

iii. Whether proposal involves any construction of buildings (including residential) or not. If yes details thereof:

There is no break up of forest land by Oil India Limited but most of the forest land of 7500 ha was seen to be occupied by the people. Tea gardens cultivated field and human settlements were seen inside the proposed forest area for the mining lease.

Total cost of the project at present rates:

Not Applicable at this stage.

iv. Whether forest area proposed for diversion is important from wildlife point of view or not:

The Forest area may be habitat for some Wildlife spp as per the approved Working Plan of Nampong Forest Division in chapter (II)(B) the list of Wildlife spp is as per Annexure of Chapter II (B). However as mentioned in the proposal by the State Government the area is not important from the Wildlife point of view. In the area of 75 Sq Km and the part of the mining lease where tea garden and human settlement exist no wild life can be seen.

v. Vegetation:

The vegetation of Namchik Forest consist is a typical three storied forest in Hollong (*Dipterocarpus macrocarpus*) and Mikai (*Phoebe attenuate* and *Phoebe cooperiana*) mixed with Gonsorai, cinnamum, *Artocarpus chaplasha*, *Michelia champaca*, *Toona ciliata*, hoolock (*Terminalia myriocarpa*) etc. As this proposal is for mining lease no felling is involved at present.

Total number of trees to be felled:

No trees were enumerated as it is a Mining Lease, however it was observed during the site visit that a large number of trees were felled for the growing of tea garden and settlement by the local people inside the proposed forest land . The tea garden were seen to be maintained by the non local people.

Effect of removal of trees on the general eco-system in the area.

The trees were felled for the establishment of the tea garden and construction of labourer huts by the local people, this has made the large forest area denude of any trees species, the shrubs and the ground cover was completely destroyed. The cultivation of tea requires a huge quantities of pesticides, fungicides which is directly affecting the soil and other micro organism present in the reserved forest. Therefore even when there is no felling of trees in the present proposal for the mining lease but the establishment of tea garden and encroachment has effect the forest ecosystem in general.

vi. Background note on the proposal:

OIL INDIA LIMITED (OIL), Public Sector Undertaking (PSU) of Govt. of India, engaged in exploration, production & transportation of hydrocarbon is operating in Ningru Petroleum Mining Lease (Ningru PAIL, and Ningru Extension Petroleum Mining Lease (Ningru Extn. PML) areas covering 615.668 sq km area in Arunachal Pradesh since Nov'1963 & Sept 1984 respectively. Out of total 615.668 sq km, while Ningru PML of 540.668 sq km covers 197.271 sq km in Lohit District and 343.397 sq km in Changlang District of Arunachal Pradesh, the balance 75 sq km (615.668 - 540.668) under Ningru Extension PML falls in Changlang District of Arunachal Pradesh (AP).

OIL applied for conversion of the erstwhile Ningru Extn. Petroleum Exploration License (PEL) block into a Petroleum Mining Lease (PML) during June'2003. Though Ministry of Petroleum & Natural Gas (MoP&NG), Govt, of India accorded its approval on the conversion (grant of the PML), the Formal Approval by State Government on the PML has been kept on hold by Govt, of Arunachal Pradesh (AP) pending prior approval under Forest (Conservation) Act, 1980.

Accordingly, the subject Forest Clearance proposal submitted is exclusively towards formal issuance of grant of Ningru Extn. Petroleum Mining Lease by Govt, of Arunachal Pradesh without calling for any physical diversion of forest land in line with Hon'ble Supreme Court's order passed on 08.08.2014 on the basis of Report of Central Empowered Committee (CEC) dated 25.02.2014. For actual physical diversion of forest land for OIL's drilling & other activities within the PML areas, OIL will apply separate Forest Clearance proposal(s) as & when required as per prevailing norms under F(C) Act, 1980 on the standard conditions of CA, NPV, FRA, etc. as per above Hon'ble Supreme Court's order.

Geologically, Arunachal Pradesh is a part of Upper Assam Geological Province and amongst the 76 priority provinces identified by US Geological Survey World Energy Assessment Team (2000). The search for hydrocarbon by OIL in Arunachal Pradesh goes back to 1963 when Govt, of India initially granted Petroleum Exploration License (PEL) to OIL covering Kharsang-Shonking, Kherem-Kumchai & Manabum area in Lohit & Changlang districts of Arunachal Pradesh.

Over the years till 2003-2004, OIL Carried out various geophysical survey, surface mapping including drilling of number of wells in the area. However, already discovered Kherem field in Ningru Extension field. PML is yet to be developed fully. Oil now plans to drill number of development as well as exploratory wells in the area apart from carrying out various surveys for in-depth appraisal of hydrocarbon reserve in the block. Subsequently, based on the prospects & quantum of commercial hydrocarbon production, Oil will be setting up various installations, infrastructure facilities etc. in the PML area as per the requirement.

In view of the above, in absence of Mining Lease, OIL planned exploration and development activities in the Ningru Extension.PML area have remained stalled since more than a decade.

vii. Compensatory Afforestation:

Compensatory Afforestation is not applicable at this juncture however it will be essentially required when the existing tea garden is cleared of the tea bushes to afforest the denuded forest area. The tea garden which is a non-forestry activity was raised by the local people inside Namchik Reserved Forest. The State Government did not take any action to prevent such large scale tea cultivation.

viii. Whether proposal involves violation of Forest (Conservation) Act, 1980 or not.If yes, a detailed report on violation including'action taken against the concerned officials:

No activities has been carried out by the Oil India Limited in the 75 sq.km, the Oil India representative has also provided a statement that no activities has been carried out in the proposed mining lease area. Therefore there is no violation of FC Act,1980 on the part of the Oil India Limited. However, there is a violation of FC Act 1980 by way of illegal encroachment in the area of 74.25 sq.km.The State Government as it appear in the field did not take any action.

Yes, this proposal involves the violation of Forest (Conservation) Act, 1980 as stated in the Ministry's letter No. 8-12-82/2003/RONE-AP(Vol-2) Dated 27.01.2005. The detailed action taken against the concerned officials by the State Government as per this Ministry's letter is not known to this office till date.

No Lease Agreement was executed for the 75 sq.kms by Oil India with the State Government. This is evident from the Mining lease Dated 12th Sept 1997.

ix. Whether proposal involves rehabilitation of displaced persons.If yes, whether rehabilitation plan has been prepared by the State Government or not:

No, as this is a Reserved Forest in 75 ha. In case the remaining 74.25 sq.km is not a forest area then the State Government will have to survey if any rehabilitation is required.

x. Reclamation plan:

Details and financial allocation.

Details on catchment and command area under the project. Catchment area treatment plan to prevent siltation of reservoir.

The State Government will have to submit a detailed scheme for such reclamation in the forest area illegally occupied by the encroachers.

xi. Cost benefit ratio.

Not Applicable at this stage on the proposal for mining lease

xii. Recommendations of the Principal Chief Conservator of Forests/State Government.

As per the Part V of Proposal dated 23.11.2015

xiii. Recommendations of Regional Chief. Conservator of Forests (Additional Principal Chief Conservator of Forests) along with detailed reasons.

The recommendation of the Additional Principal Chief Conservator of Forests will be his forwarding letter to the Ministry.

xiv. Regional Chief Conservator of Forests shall give detailed comments on whether there are any alternatives routes/alignment for locating the project on the non-forest land.

This is a site specific proposal for oil drilling which had existed since 1967 by the Oil India Limited.

Numbers of Scheduled caste/Scheduled Tribe to be benefited by the project.

The State Government of Arunachal Pradesh has not mentioned any existing Forest Village in the 75.00 ha Koriapani Reserved Forest nor in other forest area of the 7425 ha, therefore there is no Scheduled caste/Scheduled Tribe to be benefited by the project. However, also the State Government did not mentioned such benefits for the Scheduled caste/Scheduled Tribe. But the Project will benefit the tribals of the Changlang District.

xv. Whether land being diverted has any socio-cultural/religious value.

Whether any sacred grove or very old growth trees/forests exists in the areas proposed for diversion:No

xvi Whether the land under diversion forms part of any unique eco-system: No

xvii Situation w.r.t. any P. A.

This proposal is 20 km approximately away from the Namdapha National Park.

xviii Any other information relating to the project:

The observations in the field and from documents made available by the Environment & Forest Department Government of Arunachal Pradesh are mentioned below:

- i.** As per the Letter No. FOR.642/Cons/2015 dated 18.12.2015 of the CCF (Cons) & Nodal Officer (FCA), Government of Arunachal Pradesh the proposed forest area for mining lease was mentioned as 7500 ha. or 75 sq.km.
- ii.** The Divisional Forest Officer, Nampong Forest Division in his site inspection at (Annexure-V:[Pg.65-67/ToC](#)) at Sl. No. 2 has clearly stated the proposed area is 75 ha in Koriapani Reserved Forest.
- iii.** The Chief Conservator of Forests, Southern Arunachal Circle, Deomali in his site inspection report at (Annexure- A) had also clearly stated the proposed mining lease in 75 ha inside Koriapani reserved Forest.
- iv.** The Divisional Forest Officer, Nampong Forest division has clearly demarcated the type of forest for the 75 sq. km. proposed mining lease in a map duly authenticated at which has been depicted as:

Very Dense Forest:	44.967 ha
Dense Forest:	326.469 ha
Open Forest:	1810.924 ha
Non-Forest Area:	5314.416 ha
Water Body:	3.178 ha
Total	7500.00 ha or 75 sq. km.

In the Working plan of Nampong Forest division approved by this office vide letter no. 12-1-2/2010/RONE-76/WP/NAMPONG/AP/3208-11 dated 18.10.2013 the total area for Koriapani Reserved forest was 599 ha. with Compartments 1 to 7. The proposed 75 ha for mining lease as inspected by the Divisional Forest Officer, and Chief Conservator of Forests was clearly stated as 75 ha only which is a part of the 599 ha.

It is not clear as to how the balance area of 7425 ha has been categorized as Reserved Forest in the forwarding letter No. CCF (Cons) and Nodal Officer (FCA), Government of Arunachal Pradesh. In the map (Annexure-2:Pg.106/c) authenticated by the Divisional Officer, Nampong, only the part Koriapani reserved Forest has been clearly depicted in the SOI Topo Sheet. The rest of the area in

proposed mining lease does not depicted the name of any other Reserved Forests. The proposed 75 ha inside Koriapani falling within the mining lease is to be clearly depicted with compartment in the SOI Topo Sheet.

As per the classification by the Divisional Forest Officer Nampong clearly depicted in the Map the area of 5314.461 is a non-forest area. Therefore the remaining i.e (7500.0005134.461)= 2365.539 ha is a forest area out of which 75 ha is a Reserved Forest under Koriapani Reserved Forest The other remaining forest area is for the Environment & Forest Department to clearly clarify its Status.

During the Site Inspection of the 75 sq km it was observed that a large area has been occupied by the people for settlement and cultivation. To ensure that the Mining Lease of 2365.539 ha of forest land is free from encroachment and occupation by various Department of Government of Arunachal Pradesh and other people a detailed survey is to be carried out under the supervision of an Officer not below the Chief Conservator of Forests, Government of Arunachal Pradesh.

The Net Present Value calculation as per of the CCF(Cons) & Nodal Officer (FCA) is again to be recalculate as per the classification of the forest as certified by the Divisional Forest Officer, Nampong.

In the proposal for mining lease for 7500 ha the compartment numbers were not depicted in a map nor the G.P.S-Coordinates. This clearly reflected that proper site identification by the field officers as per the Approved Working Plan has not been carried out. Therefore, the entire exercise of survey and demarcation and to determine the non forest area and forest area is to be carried out again.

Areas where people had settled and Government of Arunachal Pradesh has established the infrastructures of the various Department outside 75 ha Reserved Forest under Koriapani cannot be a forest land.

In case the forest area under the mining lease, is illegally occupied by the people and Government of Arunachal Pradesh immediate action is to be taken or the NPV is to be paid by the Government of Arunachal Pradesh.

As per the SOI Topo Sheet for the 75 Sq km proposed mining lease the Koriapani Reserved Forest has been depicted in the map. Out of which only 75 ha out of 599 ha falls under the proposed Mining Lease. The rest of the area in the SOI Topo Sheet does not depicted any reserved Forest in the proposed Mining Lease.

Therefore to it is essential at this stage to referred to the Order of the Hon'ble Supreme Court LA NOS. 1868.2091.2225-2227,2380,2568 and 2937 In W.P(C)No 202 Of 1995 Lafarge Umiyam Mining Pvt Ltd Dtd 06/07/2011 to determine the forest area and non-forest area as depicted in the Divisional Forest Officer ,Nampong Map.

The diversion taken during the meeting held on 29/05/2012 under the Chairmanship of Dr. T. Chatterjee,Secretary,MoEF (Annexure-7)regarding the tea cultivation may kindly be seen for references on the large area under tea cultivation in the proposed Mining lease i.e. for 540.668 sq.km,95 sq.km and 9.94 sq.km.

The photographs taken during the site visit are enclosed as Annexure.

As an inspecting officer I am not convinced that all the 7500 ha as mentioned in the forwarding Letter No. CCF(Cons) & Nodal Officer(FCA), Government of Arunachal Pradesh is a Reserved Forest on what has been observed in the field. In case, it is so the Government Notification for the 7425 ha as a Reserved Forest is to be provided if not, the forest and non-forest land is to be determined as

mentioned at (ix) above. This may be carried out before the Ministry decided to grant the Mining Lease.

21. **Decision of FAC on 03.05.2016:** The proposal was again considered in FAC on 03.05.2016 after thorough deliberation FAC recommended that:
22. The State Government shall provide the detail of approval under FC Act 1980, if any obtained for execution of lease deed in year 1997 for period of 20 years with effect from 1983 to 2003. It may also be clarified if any well was operating in the area after expiry of lease in 2003.
23. The State Government shall also provide its comments on the observations contained in the Site Inspection Report of the Regional Office of the MOEF & CC
24. Recommendation of FAC was communicated to State Govt. of Arunachal Pradesh vide Ministry's letter dated 26.05.2016 .
25. Government of Arunachal Pradesh vide their letter no. FOR.642/Cons/2015/629-31 dated 25.04.2019 submitted their reply in response to Ministry's letter dated 26.05.2016. The point-wise reply is as under:

S. No.	Observations of FAC	Reply from State Government
1.	The State Govt. shall provide the details of approval under FC Act, 1980, if any obtained for execution of lease deed in year 1997 for period of 20 (twenty) years w.e.f 1983 to 2003. It may also be clarified if any well was operating in the area after expiry of lease in 2003.	<p>In this regard, State Government informed that Ningru Extension PML is a fresh proposal for Mining Lease as per provision of Section 2 (iii) of Forest (Conservation) Act, 1980 measuring an area of 75.0 sq km (7500 ha) in Changlang District of Arunachal Pradesh, submitted by M/s Oil India Limited Duliajan.</p> <p>In this connection, the letter No.DGM/ML/NINGRU/EXT/3016/129/106-11 dated 12th January' 2017 of Director (G&M). Department of Geology & Mining, Itanagar is attached .</p>
2.	The State Government shall also provide its comments on the observations contained in the Site Inspection Report of the Regional Office of the MOEF & CC	<p>In this regard, State Government informed that the details of Ningru Extension Petroleum Lease (PML) Block covering (75.00 sq km) in Changlang District was re-verified by the CCF, SAC, Deomali.</p> <p>The CCF, SAC, Deomali's letter No. SAC/DEV-32/2015/343738 dated 26th August' 2016 vide which verification report submitted is given and placed in file .CCF, SAC, Deomali intimated vide letter dated 26th August 2016 that the Koriapani RF (total 540 ha out of which 200 ha falls within the PML block) is located at inter state boundary with Assam and about 90% of the RF area has been encroached by the people of Arunachal Pradesh in long back.</p> <p>Bordumsa administrative sub-division was proposed to be notified as "Goju" Anchal Proposed Reserve Forest by the District Forest settlement Officer of Changlang District but due to the encroachment of entire proposed area by the local people for extension human habitation & settlement and rapid increasing of population, biotic pressure, the notification of the said Goju PARF could not be issued. Hence, the entire area of 252.0 ha is no more Open forest and therefore it should be treated as non-forest.</p> <p>In this connection, the copy of letter No NFD/Cons/36/18/5044-45 dtd 23rd Jan., 2019 of DFO, Nampong, Forest Division Jairampur is given and placed in file.</p>

It is also reported by the State Government that out of 75.00 sq km (7500 ha) of Ningru Extension PML area, the contract area measuring 16.45 sq km (1645 ha) at 'AA/ONDSF/KHEREM/2016' Kheram Block has been awarded under DSF Round 2016 to M/s Hindustan Oil Exploration Company Limited (HOECL), M/s Oil India Limited (OIL) & M/s Prize Petroleum Company Limited (PPCL).

State Government further submitted that out of 16.45 sq km (1645 ha), contract area 'AA/ONDSF/KHEREM/2016' measuring 200 ha of forest land (Koriapani RF) in Kherem block has been awarded to M/s Hindustan Oil Exploration Company Limited (HOECL). The proposal for prior approval of the Central Govt. under Section- 2(iii) of FC Act, 1980 towards grant of Petroleum Mining Lease for contract area 'AA/ONDSF/KHERM/2016' has been submitted to the Ministry vide letter no. FOR.742/Cons/2017/37-40 dated 7th January' 2019 . **The area of Ningru Extension PML block is reduced to 7500 ha -1645 ha = 5855 ha.** The State Govt. cannot consider any lease agreement without prior approval of the Central Govt. under section 2(iii) of FC Act, 1980.

26. The above facts discussed in Forest Advisory Committee (FAC) meeting held on 27th June 2019 and the FAC **deferred the proposal with following direction:**

“State Government shall give the exact forest area (as per definition of ‘forest’ defined in Hon’ble Supreme Court order dated 12.12.1996) proposed to be a part of this PML”.

27. The observation of FAC was communicated to State Govt. of Arunachal Pradesh vide Ministry’s letter dated 19.07.2019([Pg.480/c](#)).

28. Government of Arunachal Pradesh vide their letter no. FOR.642/Cons/2015/2608-10 dated 21.10.2020([Pg.481-483/c](#)) in response to Ministry’s letter dated 19.07.2019 informed that the proposed area of 58.55 Sq.Km. for granting of petroleum mining lease(PML) has again been verified by the concerned Divsional Forest Officer and aafter actual re-verification of the area , the details of the proposed PML are given below:

S.N.	Item	Area (in Ha.)
1	Area of existing Goju AFR	252.00
2	Forest area in 12 patches	19.15
3	Non-forest area	5583.85
	Total:	5855 ha. i.e.58.55 Sq.Km.

It is also reported by the State Govt. that the revised KML files of PML area and forest area are given.

29. The CD as provided for revised KML file has been examined by the DSS Cell and their report is placed in file and major observation are :
- i. Calculated area of total PML found is 5855.26 ha (software calculated) or 58.55 Sq Km and the Forest area of Goju AFR is found 250.239 Ha or 2.50 Sq Km. However, the State Govt. of Arunachal Pradesh did not provide the KML/ Shape file of 19.15 Ha. forest area. Therefore, in this backdrop the DSS analysis has been performed on the entire PML area comprising 58.55 Sq. Km .
 - ii. No WLS/NP/Tiger Reserve/Tiger Corridor situated within the 10KM radius of proposed area for diversion.

- iii. Proposed PML for prospecting i.e. 58.55 sq km is classified as inviolate area as per DSS Rule-I due to presence of Hydrological layer in the lease area. However, as per DSS Rule-II the lease area classified as Not-Inviolate because out of 57 Grids of 1X1 Km size, none of the grid is having score above 70. Thus, the final DSS result is Not-Inviolate.
- iv. Out of 5855.261 ha or 5848 ha as per DSS calculated area for prospecting, 95 ha of land is characterized with Moderately dense forest, 1421 ha of land as Open Forest, 1 ha as Scrub, 3 ha as water and 4328 ha. of land classified as Non-forest in terms of forest classes (as per the ISFR 2019) based on the interpretation of satellite data period 2017-2018.
- v. Forest Types details: 1B/C1 Assam Valley Tropical wet Evergreen Forest: 6ha, 2/2S1 Secondary Moist Bamboo Brakes 7 ha, 2B/1S1 Sub-Himalayan Light Alluvial Semi-Evergreen Forest 7 ha, 2B/2S2 Eastern Alluvial Secondary Semi-Evergreen Forest 1072ha and Non-Forest 6587 ha. , Water: 1 ha.

In view of above, the facts related to the proposal may be placed before FAC in its forthcoming meeting to be held on 25.11.2020 for their examination and appropriate recommendation.
