

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Aliganj, Jor bagh Road
New Delhi – 110003
Dated: 27.05.2024

To

The Principal Secretary (Forests),
Department of Environment, Forests and Climate Change,
Government of Arunachal Pradesh.
Itanagar.

Subject: Proposal for seeking prior approval of the Central Government under Section – 2 (iii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for grant of petroleum mining lease (PML) over an area of 252 ha. {originally proposed 75.0 Sq. Km. (7,500 ha)} of forest land (Goju Anchal Forest Reserve) in favour of Chief Engineer, Oil India Limited, Duliajan in Ningru Extension Block, Changlang District in the State of Arunachal Pradesh (Online proposal No. FP/AR/MIN/1478/2006)– regarding.

Sir/Madam,

I am directed to refer to the Government of Arunachal Pradesh's letter No.FOR.642/Cons./2015/1704-06 dated 18th December, 2015 on the above mentioned subject, seeking prior approval of Central Government under Section- 2 (iii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After careful consideration of the proposal by the Advisory Committee (AC) constituted by the Central Government under Section- 3 of the said Act, '*In-principle*'/Stage- I approval to the proposal was granted vide this Ministry's letter of even number dated 16.02.2021 subject to fulfillment of certain conditions prescribed therein. The State Government furnished compliance report in respect of the conditions stipulated in the in-principle approval and requested the Central Government to grant final approval.

2. Further, the State Government vide its letter dated 18.04.2024 requested to modify the condition regarding eviction of encroachment from the final approval under Section 2 (1) (iii) imposed by AC in its meeting dated 25.11.2020. The State Government informed that the action for eviction is already under process and shall be finalized in due course of time. Accordingly, the proposal was considered in the Advisory Committee (AC) in its meeting on 30.04.2024. The Committee after detailed discussion and deliberation with the DDGF (Central), Shillong and Nodal Officer, Government of Arunachal Pradesh stated that since the proposal is sought under Section 2 (1) (iii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and that the State Government has initiated legal proceedings for encroachment removal, the Final approval under Section 2 (1) (iii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for 252 Ha. Forest land (Goju Anchal Forest Reserve) in favour of Chief Engineer, Oil India Limited, Duliajan in Ningru

Extension Block, Changlang District may be granted on this basis. However, this approval shall not construe as conferring a right to get approval under Section 2 (1) (ii) of the Adhiniyam. Furthermore, the State Government shall remove the complete encroachment from the above mentioned 252 Ha. forest land before applying under Section 2 (1) (ii) of the Adhiniyam for any-part or whole of the said area in future.

3. In this connection, I am directed to say that on the basis of the compliance report submitted by the State Government of Arunachal Pradesh vide their letter No. FOR.642/Cons/2015/4652-55 dated 10.11.2021 and letter No. FOR.642/Cons/2015 dated 18.04.2024, **final approval/Stage-II approval** of the Central Government is hereby granted under Section 2 (1) (iii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for grant of petroleum mining lease (PML) over an area of 252 ha. {originally proposed 75.0 Sq. Km. (7,500 ha)} of forest land (Goju Anchal Forest Reserve) in favour of Chief Engineer, Oil India Limited, Duliajan in Ningru Extension Block, Changlang District in the State of Arunachal Pradesh, subject to fulfillment of the following conditions:

- i. Legal status of the forest land shall remain unchanged;
- ii. **The State Government shall remove the complete encroachment from the above mentioned 252 Ha. forest land before applying under Section 2 (1) (ii) of the Adhiniyam for any-part or whole of the said area in future;**
- iii. No physical breaking of land will be allowed;
- iv. No physical diversion of forest land will be allowed and no breaking up of forest land shall be permitted until prior approval of relevant land is taken u/s 2 (ii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980;
- v. The grant of permission under section 2 (1)(iii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 will not confer any right on the project proponent for diversion of forest land under section 2(1)(ii) of the Adhiniyam 1980. All proposals under section 2(1)(ii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 will be dealt on case to case basis and on merits;
- vi. The Forest Department will be free to manage the forest area as per normal management practices and Working Plan prescriptions;
- vii. Permission granted under section 2(1)(iii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam for execution of PML shall not in any manner be construed to be right to get permission under section 2(1)(ii) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. Permission under section 2(1)(ii) will be granted on merits;
- viii. Grant of this approval does not in any manner, exonerate the concerned authorities in the State Government or in any other Authority, from the proceedings under Section 3A and 3B of the FC Act, liable to be initiated for violation, if any, of the FC Act committed by them by assigning such forest land on mining lease without obtaining prior approval of Central Government under Section 2 of the FC Act;
- ix. The State Government shall ensure that the Twelve patches (totalling 19.15

- ha) of forest area that are not part of extant proposal are not included in the proposed lease area;
- x. The State Government and User Agency will ensure that all the compensations, as per the norms and rules of the State Government to the affected persons shall be paid prior to handing over of forest land to the User Agency;
 - xi. User Agency will ensure that forest area nearby shall not be encroached upon due to implementation of the project;
 - xii. The State Government shall ensure that the minimum number of trees/plants/poles in any case not more than mentioned in the applied forest area will be removed and the trees should be felled under strict supervision of the State Forest Department;
 - xiii. The State Govt. shall ensure the complete compliance on FRA, 2006; It should also be ensured that the FRA certificate issued by District collector is complete with letter number, date, name, signature and official seal, as required in the certificate;
 - xiv. The State Govt. shall ensure that the boundary of the diverted forest land, 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 pillar to pillar and GPS co-ordinates;
 - xv. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;
 - xvi. The State Govt. shall ensure the user agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department;
 - xvii. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
 - xviii. The layout plan of the proposal shall not be changed without prior approval of Central Government;
 - xix. No labour camps shall be set up inside the forest area. Labour management plan should be implement with emphasis that no labour camp be set up in the close vicinity of the eco-fragile and sensitive areas;
 - xx. The Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
 - xxi. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
 - xxii. Period of diversion of the said forest land under this approval shall be 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;

- xxiii. No damage to the flora and fauna of the area shall be caused;
- xxiv. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xxv. 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;
- xxvi. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
- xxvii. The State Govt. shall ensure that the Compliance report of this approval is uploaded on e-portal (<https://parivesh.nic.in/>);
- xxviii. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Government and user agency;
- xxix. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Consolidated Guidelines and Clarifications on Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 as issued by this Ministry's letter dated 29.12.2023; and
- xxx. The State Government and User Agency shall ensure compliance to all conditions stipulated in the 'in-principle' approval letter dated 21.08.2023 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, or the time being in force, including compliance of the Schedule Tribes and Other Traditional Forest Dwellers (Recognition of Forests Rights) Act, 2006, before handing over the forest land to the user agency.

Yours faithfully,

Sd-

(Dr. Dheeraj Mittal)

Assistant Inspector General of Forests

Copy to: -

1. The Principal Chief Conservator of Forests & HoFF, Government of Arunachal Pradesh, Itanagar.
2. The DDGF (C), Regional Office, Shillong of MoEFCC.
3. The APCCF-cum- Nodal Officer, Government of Arunachal Pradesh, Itanagar.
4. Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading.
5. User Agency.