



सत्यमेव जयते

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  
4<sup>th</sup> Floor, Housefed building, GS Road, Rukmini gaon, Guwahati -781022

दूरभाष /Tel Fax: 0361-2330984, E-mail: [iro.guwahati-mefcc@gov.in](mailto:iro.guwahati-mefcc@gov.in)



F.No.3- AS C 040/2021-GHY/2258-2259

30<sup>th</sup> March, 2022

सेवा मे,

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 13.43 ha of forest land for laying of underground Oil & Gas pipeline portion of **Duliajan-Digboi Road** in Upper Dehing Reserve Forest (West Block) under Digboi Forest Division in favour of OIL India Ltd.

Sir,

This has got reference to the State Government's letter No. FRS.41/2021/65 dated 25.07.2021 and No. FRS.41/2021/93 dated 23.03.2022 on the subject mentioned above seeking prior approval of the Central Government in accordance with Section 2 of the FCA, 1980 and to say that the proposal has been examined by the Regional Empowered Committee constituted by Central Government under Section 3 of aforesaid Act.

2. After careful examination of the proposal of the State Govt and on the basis of the recommendations of Regional Empowered Committee on 16.03.2022 and State Govt letter No. No. FRS.41/2021/93 dated 23.03.2022, "**In Principle Approval/Stage- I**" clearance of the Central Government is hereby granted for diversion of 13.43 ha of forest land for laying of underground Oil & Gas pipeline portion of Duliajan-Digboi Road in Upper Dehing Reserve Forest (West Block) under Digboi Forest Division in favour of OIL India Ltd, subject to the following conditions:

**A. Conditions which need to be complied prior to grant of permission to use forest land by the State Forest Department.**

- (1) The user agency shall transfer, the Net Present Value (NPV) in **the revised rates of 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 and **File No.5-3/2011-FC(Vol-I) dated 21.03.2022**. The requisite funds shall be transferred through online portal into CAMPA account of the State concerned.
- (2) All the funds received from the user agency (NPV, etc) under the project shall be transferred/ deposited to Compensatory Afforestation Fund of Assam State managed by the Ad-hoc CAMPA only through **e-portal** (<https://parivesh.nic.in/>).

Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;

- (3) The compliance report shall be uploaded on **e-portal** (<https://parivesh.nic.in/>);
- (4) The KML files of the area to be diverted, the CA areas, the proposed SMC work, the proposed Catchment Area Treatment area and the WLMP area shall be uploaded on the e-Green watch portal with all requisite details before issuing working permission towards linear projects or submitting compliance report for seeking Stage II approval, as the case may be;
- (5) The State Govt shall submit the approved wildlife mitigation and conservation plan and ensure its strict implementation as the proposed area is in Dehing Patkai Elephant Reserve.
- (6) The user agency shall deposit 2% of project cost for the wildlife mitigation and conservation plan.
- (7) An annual compliance certificate on the stipulated conditions of the wildlife mitigation and conservation plan shall be submitted by the project proponent to the State Chief Wildlife Warden and an annual compliance certificate shall be submitted by the State Chief Wildlife warden to the concerned Integrated Regional Office of Ministry of Environment, Forest & Climate Change.
- (8) The user agency shall obtain the Environment Clearance as per the provision of Environment (Protection) Act 1986, if applicable.
- (9) 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 as per the directions of the concerned Divisional Forest Officer;
- (10) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector;
- (11) 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;

**B: Conditions which need to be strictly complied on field after granting permission to user agency for using the forest land 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 forest land shall remain unchanged.
- (2) The Compensatory afforestation shall be taken up by the Forest Department over double the degraded forest land i.e. 27 ha in compartment No. 44 & 46, Block No 1, Margherita East Range, Digboi Forest 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. As far as possible, a

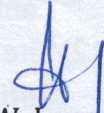
within three years from the date of Stage -II Clearance and maintained thereafter by the State Forest Department at the cost of the User Agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided. The CA will be maintained for 10 years.

- (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) 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;
- (5) The muck generated in the earth cutting if any, will be disposed off at designated dumping sites and in no case the muck/debris will be disposed off in the forest areas;
- (6) The user agency shall monitor the pipeline at regular interval to ensure safety and to avoid any accident. The user agency shall submit such monitoring reports to the DFO concerned;
- (7) The expenditure like boundary walls, stone pillars, demarcation charges, cost of damage of trees the funds on these accounts should, be deposited with the DFO concerned;
- (8) 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.
- (9) No damage to the flora and fauna of the adjoining area shall be caused;
- (10) The lay out of the proposal shall not be changed without the prior approval of the Central Government.
- (12) 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.
- (13) The User Agency shall take all possible precautions & care all the time not to impact adversely the surrounding forests and forest land by their actions/activities.
- (14) The user agency will undertake comprehensive soil and water conservation measures at the project cost.
- (15) The designing of culverts/ bridges, if any, over the natural streams/rivers/canals should be done in such a manner that it does not hamper the natural course of the water, does not give rise to water logging and also does not hamper the movement of the wild animals.
- (16) All the site-specific engineering structures like retaining walls, breast wall and drainage shall be constructed to avoid any soil erosion and to provide slope stability of the concerned hills.
- (17) The user agency shall provide suitable under / over pass in Protected Area / Forest Area as per recommendations of CWLW / NBWL / FAC / REC, wherever applicable.

- (18) 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.
- (19) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- (20) The total forest area utilized for the project shall not exceed 13.431 ha and the forest area diverted shall not be used for any purpose other than that specified in the project proposal;
- (21) 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.
- (22) 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.

3. After the receipt of the compliance report from the State Government on fulfillment of the conditions mentioned above, final/stage-II approval of the Central Government, in accordance with Section 2 of the Forest (Conservation) Act, 1980, will be considered. Till the receipt of the Final / Stage-II approval of the Central Government for diversion of the said forest land from this Ministry, transfer of the said forest land to the User Agency shall not be affected by the State Government.

भवदीय,



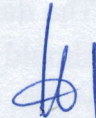
(W. Longvah)

वन महानिरीक्षक (केंद्रीय)

Inspector General of Forests(C)

Copy to:

1. The Principal Chief Conservator of Forests & HoFF, Govt of Assam, Environment and Forest Department, Aranya Bhawan, Rop Konwar Jyoti Prasad, Agarwal Path, Near Srimanta Sankardev Kalakhetra, Panjabari, Guwahati-781037 for kind information and necessary action.



वन महा निरीक्षक (केंद्रीय)

Inspector General of Forests(C)

