

**F. No. 8-10/2019-FC**  
Government of India  
Ministry of Environment, Forest and Climate Change  
(Forest Conservation Division)

Indira Paryavaran Bhawan  
Aliganj, Jorbagh Road  
New Delhi – 110003

Dated: July, 2019

To,

The Principal Secretary (Forests),  
Department of Environment & Forests,  
Government of Arunachal Pradesh,  
Itanagar.

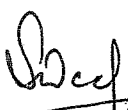
**Sub: Proposal seeking prior approval of the Central Government under Section-2(iii) of FC Act, 1980, towards grant of Petroleum Mining Lease (PML) for contract area "AA/ONDSF/KHEREM/2016" measuring 200 ha. of forest land (out of 1645 ha) in kherem area in Changlang District of Arunachal Pradesh in favour of M/s Hindustan Oil Exploration Company Limited.**

Sir,

I am directed to refer to the State Government's letter no. FOR.742/Cons/2017/37-40 dated 07.01.2019 on the above mentioned subject seeking prior approval of the Central Government under Section-2(iii) of the Forest (Conservation) Act, 1980 and to say that the proposal has been examined by the Forest Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government and on the basis of the recommendations of the Forest Advisory Committee, *In-principle approval/Stage-I Clearance* of the Central Government is hereby granted for the proposal towards grant of Petroleum Mining Lease (PML) for contract area "AA/ONDSF/KHEREM/2016" measuring 200 ha. of forest land (out of 1645 ha) in kherem area in Changlang District of Arunachal Pradesh in favour of M/s Hindustan Oil Exploration Company Limited subject to the following conditions:

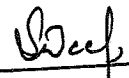
- i. Legal status of the forest land shall remain unchanged;
- ii. No physical breaking of land will be allowed.
- iii. Permission granted under section 2(iii) of FCA for execution of PML shall not in any manner be construed to be right to get permission under section 2(ii) of FCA 1980. Permission under section 2(iii) will be granted on merits.
- iv. State Government shall take credible action to remove encroachment from the forest areas.
- v. State Government had reported the area as Reserved Forest. From DSS analysis it reveals that it is an area with very sparse vegetation. Specific comments of State in this regard may be submitted.
- vi. User agency shall pay NPV as admissible in accordance with Hon'ble Supreme court order dated 8.8.2014 in I.A. No. 3627 in W.P. (C) No. 202/1995 and the funds received from the User Agency under the project shall be transferred/deposited in 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.
- vii. 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;
- viii. State Government shall, within a period of 30 days from the date of issue of this letter, realize NPV for the entire forest land falling in the mining lease from the user agency. In case State Government fails to realize admissible NPV from the user agency; within a period of 30 days from the date of issue of this letter, this approval in respect of such mining lease, shall be kept in abeyance, till such time, the NPV of such forest land is realised by the State Government.

  
7/8/19

- ix. The approval under Section 2(iii) of the Forest (Conservation) Act, 1980 shall be valid for a period co-terminus with the period of mining lease in accordance with the provisions of the Mines and Minerals (Development and Regulation) Act, 1957, as amended, and the Rules framed thereunder;
- x. 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.
- xi. The forest department will be free to manage the forest area as per normal management practices and working plan prescriptions.
- xii. State Government to confirm complete compliance of the provision of FRA 2006 prior to executing/ granting forest area on lease.
- xiii. The permission is subject to confirmation of NPV amount for the area from Adhoc CAMPA.
- xiv. No staff/ laborer shall be allowed to enter inside forest area without valid permission of competent local forest authority.
- xv. Demarcation of mining lease area will be done on the ground at project cost using 4 feet high concrete pillars with serial numbers, bearing, distance from pillar to pillar and GPS co-ordinates.
- xvi. 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;
- xvii. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980.

Yours faithfully,

  
(Sandeep Sharma) 21/8/15

Assistant Inspector General of Forests

**Copy to:**

1. The PCCF(HoFF), Government of Arunachal Pradesh, Itanagar.
2. The Nodal Officer(FCA), Office of the PCCF(HoFF), Govt. of Arunachal Pradesh, Itanagar.
3. The Dy. Director General (Central), Regional Office, Shillong.
4. User Agency
5. Monitoring Cell of FC division, MoEF&CC, New Delhi.
6. Guard file.