



Government of India
Ministry of Environment, Forest & Climate Change
North Eastern Regional Office
Law-U-Sib, Lumbatngen
Near MTC Workshop, Shillong-793021
Tel(0364)-253-7609,7340/7395/7278.
Fax No(0364)2536041/2536983.
Email:- ro.nez.shil@gmail.com & moefro.shillong@gov.in

भारत सरकार
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
पूर्वोत्तर क्षेत्रीय कार्यालय, शिलांग
लॉउ सीब लुम्बतंगेन
एम् टी सी के पास, शिलांग -७९३०२१
टेली(0364) 253-7609,7340/7395/7278
फैक्स (0364)-2536041/2536983
ईमेल: ro.nez.shil@gmail.com/moefro.shillong@gov.in

No. 3-AS C 021/2018-SHI 36/0-11

27th January, 2020

सेवा मे,

अतिरिक्त प्रमुख सचिव/ Addl. Chief Secretary,
असम सरकार/Govt of Assam,
पर्यावरण और वन विभाग/Environment and Forests Deaprtment,
दिसपुर/Dispur, गुवाहाटी/Guwahati-781006.

Sub: Proposal for diversion of 20.72 ha of forest land for 6 trunk pipe line replacement project under Golaghat Division in favour of Oil & Natural Gas Corporation Ltd., Nazira.

Sir,

This has got reference to the State Govt Assam letter No. FRS.05/2018/143 dated 03.03.2018 and FG.27/Nodal/Drilling location/ONGC/6 Trunk Pipe Line dated 10.01.2020 on the subject mentioned above seeking prior approval of the Central Government in accordance with Section 2 of the FCA, 1980.

After careful consideration of the proposal of the State Government of Assam by the Regional Empowered Committee in its meeting held on 22.11.2019 and its recommendation, I am directed to inform that the Central Government hereby conveys its **"In Principle Approval"** for diversion of 20.72 ha of forest land for 6 trunk pipe line replacement project under Golaghat Division in favour of Oil & Natural Gas Corporation Ltd., Nazira, subject to the following conditions:

- 1) The legal status of the forest land shall remain unchanged.
- 2) The compensatory afforestation shall be taken up by the Forest Department over 41.44 ha of degraded forest land at Kundali Kaliya Reserve Forest, Sadiya Range of Doomdooma Division of Assam at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and monoculture of a species has to be avoided.
- 3) The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project authority. The CA will be maintained for 10 years.

The scheme shall include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

- 4) The State Government shall charge the Net Present Value(NPV) for the 20.72 ha forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letters No. 5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard.
- 5) The additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
- 6) All the funds received from the user agency under the project shall be transferred/ deposited to CAMPA fund only through **e-portal** (<https://parivesh.nic.in/>).
- 7) The user agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
- 8) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 9) The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 10) No labour camp shall be established on the forest land.
- 11) 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.
- 12) The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
- 13) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 14) The user shall take due precaution during the and after construction phase as the proposed area passes through the elephant grid.
- 15) The user agency shall obtain the mandatory Environment Clearance as per the provision of Environment (Protection) Act 1986, if required.
- 16) The user agency will have to obtain the Forest Conservation) Act, 1980 clearance for removal, if any, of the stone, river sand, river boulders in forest land, if necessary.
- 17) The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
- 18) The forest land shall not be used for any purpose other than that specified in the project proposal.

- 19) 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.
- 20) The violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F. No. 11-42/2017-FC dt 29/01/2018.
- 21) All other clearance/NOCs under different applicable rules/regulations /local laws and under Forest Dwellers (Recognition of Forest Rights) Act, 2006 as required vide MoEF, New Delhi guideline No.11-9/1998-FC(pt) dated 03.08.2009 shall be complied with.
- 22) 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 be revoked considering that the user agency is no longer interested in the project.
- 23) The compliance report shall be uploaded on **e-portal** (<https://parivesh.nic.in/>).

After receipt of the compliance report from the State Government on fulfillment of the conditions mentioned above, final approval will be issued in this regard. Formal transfer of forest land shall not be effected by the State Govt till final approval orders approving the diversion of forest land are issued by the Central Government.

भवदीय,

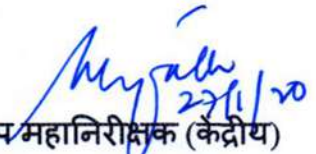

(W.I. Yabon)

वन उप महानिरीक्षक (केंद्रीय)

/Deputy Inspector General of Forests(C)

Copy to:

प्रधान मुख्य वन संरक्षक/ Principal Chief Conservator of Forests & HoFF, असम सरकार/ Govt of Assam, पर्यावरण और वन विभाग/ Environment and Forest Department, अन्या भवन / Aranya Bhawan, रोप कोवर ज्योति प्रसाद अग्रवाल पथ/ Rop Konwar Jyoti Prasad Agarwal Path, श्रीमंत शंकरदेव कालखेत्र के पास/ Near Srimanta Sankardev Kalakhetra, पंजाबारी/ Panjabari, गुवाहाटी / Guwahati-781037.


वन उप महानिरीक्षक (केंद्रीय)

/Deputy Inspector General of Forests(C)

9c