



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

4th Floor, Housefed building, GS Road, Rukmini gaon, Guwahati -781022

दूरभाष /Tel Fax: 0361-2330984, E-mail: iro.guwahati-mefcc@gov.in



F.No.3 AS B 029/2021-GHY/2559 -2560

20th June, 2022

सेवा में,

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 2.73 ha for drilling 06 Nos. of wells DPDD, DPDH, DPDI, DPDJ, DPDK and DPDL in Doyang Reserve Forest under Golaghat Division in favour of ONGC, Johrat.

Sir,

This has got reference to the State Govt Assam letter No. FRS.13/2021/48 dated 21.06.2021 and No. FRS.13/2021/77 dated 27.01.2022 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.

After careful consideration of the proposal of the State Government of Assam by the Regional Empowered Committee in its meeting held on 16.03.2022 and its recommendation and subsequent approval of Ministry, New Delhi on 06.06.2022 through e-office, I am to inform that the Central Government hereby conveys its **"In Principle Approval"** for diversion of 2.73 ha for **drilling and development** of 06 Nos. of wells DPDD, DPDH, DPDI, DPDJ, DPDK and DPDL in Doyang Reserve Forest under Golaghat Division in favour of ONGC, Johrat, subject to the following conditions:

A. Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

1. The user agency shall transfer, the Net Present Value (NPV) in the revised rate 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. The user agency shall transfer the cost of raising and maintaining the compensatory afforestation at the current wage rate in consultation with the State Forest Department in the account of CAMPA of the concerned State through online portal. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years;
3. All the funds received from the user agency (NPV, CA, etc) under the project shall be transferred/ deposited to 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;
4. The compliance report shall be uploaded on **e-portal** (<https://parivesh.nic.in/>);
5. The KML files of the area to be diverted and the CA areas shall be uploaded on the e-Green watch portal with all requisite details before submitting compliance report for seeking Stage II approval;
6. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the District Collector;
7. The User Agency shall obtain the Environment Clearance as per the provisions of Environment (Protection) Act, 1986;
8. 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;
9. Any change in the diameter of borehole and number of bore holes will be reported to the concerned Integrated Regional Office in advance for consideration and recommendations to the Central Government;
10. 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 handing over of forest land to the user agency 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 diverted forest land shall remain unchanged;
2. The compensatory Afforestation shall be raised and maintained by the State Forest Department over 5.50 ha double the degraded forest land in Block No.1, Compartment No. 1, Digboi range under Digboi Reserve Forest 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;
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. Permanent demarcation of forest land for diversion shall be done on the ground at project cost before handing over the forest land to the user agency;
5. The period of diversion of the said forest land under this approval shall be for a period 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;
6. The User Agency shall obtain the Environment Clearance as per the provisions of Environment (Protection) Act, 1986, if required;
7. No labour camp shall be established on the forest land;
8. 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;
9. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
10. No damage to the flora and fauna of the adjoining area shall be caused;
11. The layout plan of the mining plan/ 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 not expand its occupation or use surrounding forest/forest land in any manner otherwise expressed in this clearance;
14. Land so diverted shall revert back to the Forest Department in case it is not needed for the above use after due restoration to its original status (as far as possible and to the satisfaction of State Forest Department);
15. The user agency shall take all possible precautions & care all the time not to impact adversely the surround forests and forestland by their actions/activities;
16. The user agency shall explore the possibility of successful translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
17. 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;
18. The User Agency shall undertake mining in a phased manner after taking due care for reclamation of the mined over area. The concurrent reclamation plan as per the approved mining plan shall be executed by the User Agency from the very first year, and an annual report on implementation thereof shall be submitted to the Nodal Officer, Forest (Conservation) Act, 1980, in the concerned State Government and the concerned Regional Office of the Ministry. If it is found from the annual report that the activities indicated in the concurrent reclamation plan are not being executed by the User Agency, the Nodal Officer or the concern Dy. Director General (Central) may direct that the mining activities shall remain suspended till such time, reclamation activities are satisfactorily executed;

19. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year;
20. 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;
21. 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;
22. 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;
23. This approval may be revoked if the above conditions of approval are not complied to the satisfaction of the Integrated Regional Office, Guwahati;
24. 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. The state govt shall ensure compliance of all the above conditions;
25. 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.

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.

वन महानिरीक्षक (केंद्रीय)
Inspector General of Forests(C)