



सत्यमेव जयते

Government of India  
Ministry of Environment, Forest & Climate Change,  
North Eastern Regional Office,  
Law-U-Sib Lumbatngen,  
Near MTC Workshop, Shillong-793021,  
टेली/Tel(0364)-253-7609,7340/7395/7278,

ईमेल/Email-ro.nez.shil@gmail.com/moefshil 09@rediffmail.com

भारत सरकार

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
पूर्वोत्तर क्षेत्रीय कार्यालय, शिलांग  
लॉड सीब लुम्बतंगेन  
एम् टी सी के पास, शिलांग - ७९३०२१  
क्स/Fax -0364- 2536041/2536983

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F.No. 3-AN B 053/2018-SHI 1399-1400

31<sup>st</sup> August, 2020

सेवा मे,

प्रधान मुख्य वन संरक्षक/ प्रमुख सचिव/ वन बल प्रमुख  
Principal Secretary-cum- PCCF,  
अरुणाचल प्रदेश सरकार /Arunachal Pradesh Government,  
पर्यावरण और वन विभाग / Department of Environment & Forests,  
ईटानगर/Itanagar.

Sub : Diversion of 3.60 ha of forest land for oil drilling location DML-3/1 in Tirap District of Arunachal Pradesh in favour of M/s Oil India Limited, Duliajan, Assam,

Sir,

This has got reference to the State Government's letter FOR.543/CONS/2013/2942-45 dated 29.06.2018, even no. 4061 dated 07.12.2018 on the subject mentioned above seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980.

2. After careful examination of the proposal of the State Government, recommendation of REC held on 18.02.2019 and approval from Ministry, New Delhi, *In-principle / Stage-I* approval of the Central Government is hereby granted for diversion of **3.60 ha** of forest land for oil drilling location DML-3/1 in Tirap District of Arunachal Pradesh in favour of M/s Oil India Limited, Duliajan, Assam, subject to the following conditions:

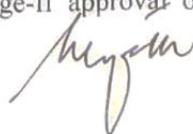
- 1) The User Agency shall be allowed exploratory drilling of a maximum of " 2 (two) boreholes of 660.4 mm (26 inch) over 3.60 ha of forest land.
- 2) The prior approval of Govt, of India under Section 2 of FC Act for prospecting in this forest area under consideration is only for resource assessment and mapping and does not confer in any manner any right to the State Government to divert such forest land under Section 2(ii) of Forest (Conservation) Act, 1980 for mining purpose in future in favour of this user agency or any other mining company on the plea that forest clearance for prospecting has been granted.
- 3) The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme at Namsang VFR shall be deposited in the Compensatory Afforestation Fund of Arunachal Pradesh State through E-portal.
- 4) The State Govt shall charge the Net Present Value (NPV) for the 135.47 ha forest area to be diverted under the proposal from the Use 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 Writ Petition (Civil) No. 202/1995 and as per the guidelines issued by this Ministry vide its letter 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. The requisite funds shall be transferred through online portal to CAMPA account of the State concerned.
- 5) Additional amount of 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 Govt from the User Agency. The User Agency shall furnish an undertaking to this effect.
- 6) Charges towards NPV & CA as applicable shall be realized by the State Govt, from the User agency & deposited in CAMPA fund through e-portal.
- 7) 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.

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- 8) The charges for felling, logging and transportation of project affected trees should be collected from the User Agency at the rates approved by the State Govt and deposited with the DFO concerned for utilization immediately following the diversion of forest land.
- 9) 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.
- 10) Permission for carrying out of exploratory drilling or any payment of NPV deposited for such operations will not confer any right with the user agency to get forest clearance of that particular land under section 2(ii) of FC Act 1980. All decisions will be taken as per procedure prescribed in Forest Conservation Rules 2003 (as amended upto date) and on merit.
- 11) User agency shall seek permission of concerned Divisional Forest Officer before entering into the forest area and borehole shall be dug with prior permission of the concerned Divisional Forest Officer and also furnish detailed report thereof on completion of the project.
- 12) Proper plugging of borehole shall be made after exploration activities are complete to the satisfaction of the concerned Divisional Forest Officer.
- 13) The user agency shall be responsible for any loss to the flora and fauna in the surrounding. Any damage done in this regard shall be compensated by the user agency from the project cost as per assessment of the concerned Divisional Forest Officer.
- 14) Any change in the diameter of borehole and number of bore holes will be reported to the concerned Regional Office in advance for consideration and recommendations to the Central Government.
- 15) Adequate measures shall be taken by the user agency to ensure that prospecting activities do not harm the wildlife in the area. Any damage done in this context, shall be compensated by the user agency as per assessment, by the concerned Divisional Forest Officer.
- 16) No labour camp shall be established on the forest land and no work shall be allowed after sunset.
- 17) In case, rights over forest land proposed to be used for prospecting purpose, has already been settled in favour of eligible claimants as per provisions of the Forest Rights Act, 2006, the claimants shall either be compensated appropriately or location of borehole by suitably re-located.
- 18) Initially the permission for prospecting will be granted for two years from the date of issue of this approval which can be extended for one more year with convincing justification from the State Government for extension.
- 19) In case of violations of conditions by the user agency, the permission for prospecting of minerals shall be suspended by the concerned Divisional Forest Officer. Further it shall be enquired by the Nodal Officer (FCA) of the State Government and report to be submitted to the concerned Regional Office for appropriate action.
- 20) To minimize disturbance to the wildlife, user agency shall take all possible measures to minimize noise during prospecting operations and halt the prospecting activities during night and during such periods in the day as may be advised by the concerned Chief Wildlife Warden, concerned State Forest Department.
- 21) The User Agency shall look into the occasional straying of wild animals from Dehing Parkai Wildlife Sanctuary and take appropriate steps under the guidance of Forest Department.
- 22) The user agency and the State Government shall ensure compliance to provisions of the MoEF&CC Guidelines F. No. 11-96/2009-FC dated 4th July, 2014 issued by the Ministry regarding drilling in the forest land.
- 23) 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 dated 29/01/2018.
- 24) The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

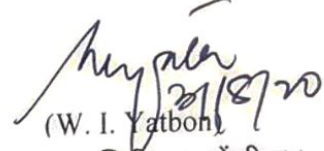
3. After the receipt of the compliance report from the State Government on fulfillment of the conditions mentioned above, final/stage-II approval of the Central Government, in accordance with



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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.

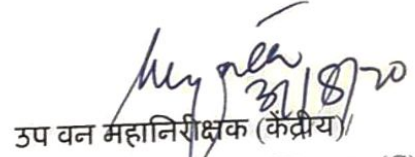
भवदीय,

  
(W. I. Yatboh)

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

Copy to:

1. प्रधान मुख्य वन संरक्षक/ Principal Chief Conservator of Forests (Cons) & Nodal Officer (FCA), अरुणाचल प्रदेश सरकार/ Government of Arunachal Pradesh, पर्यावरण और वन विभाग / Department of Env. & Forests, ईटानगर/Itanagar.

  
उप वन महानिरीक्षक (केंद्रीय)

Deputy Inspector General of Forests (C)

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