



भारत सरकार

Government of India

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय

Ministry of Environment, Forest & Climate Change

क्षेत्रीय कार्यालय, शिलांग/Regional Office, Shillong

उप कार्यालय, गुवाहाटी/Sub - office, Guwahati

चौथी मंजिल, हौसेफेड इमारत, जी एस रोड, रुक्मिणी गाँव, गुवाहाटी- ७८१०२२

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F.No.3 AS B 114/2022-GHY/672-73

24th December, 2024

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 is for diversion of 3.92 ha of forest land for development drilling wells and testing of Hydrocarbons in Duarmara Block in Upper Dehing Reserved Forest (East Block) under Digboi Division in favour of Oil Max Energy Pvt. Ltd.

Sir,

This has got reference to the State Govt of Assam letter No. FRS.101/2022/72 dated 11.07.2022, eCF No. 230462/247 dated 15.06.2024 and eCF No. 230462/294 dated 06.12.2024 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 and the recommendation by the REC in its meeting held on 22.11.2022 and subsequent approval of Ministry through e-office, In-Principle Approval (IPA) was granted by this office letter of even number dated 29.08.2023 subject to fulfillment of certain conditions.

In this connection and on the basis of the compliance report furnished by the State Government vide letter eCF No. 230462/247 dated 15.06.2024 and eCF No. 230462/294 dated 06.12.2024 and its uploading on Ministry's portal with transferred of compensatory levies, Elephant/Wildlife Conflict and Management Plan, etc amount through e-portal (<https://parivesh.nic.in>), **Final Approval** of the Central Government is hereby granted under Section-2 of the Forest (Conservation) Act, 1980, for diversion of 3.92 ha of forest land for development drilling wells and testing of Hydrocarbons in Duarmara Block in Upper Dehing Reserved Forest (East Block) under Digboi Division in favour of Oil Max Energy Pvt. Ltd, subject to the following conditions, subject to the following conditions:

- 1) The legal status of the diverted forest land shall remain unchanged.

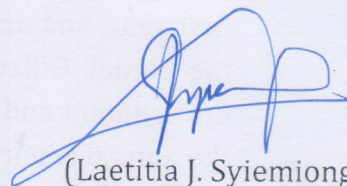
- 2) The compensatory afforestation shall be raised and maintained over equivalent non forest land of 3.92 ha in Lungdingkro Village under Dima Hasao Forest Division, Dima Hasao District of Assam as per the funds deposited by the User Agency. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.
- 3) The State Govt shall ensure that the revised rates of Net Present Value amount of the forest land being diverted under this proposal is transferred through online portal by the user agency into CAMPA account of the State concerned as per the Ministry letter File No.5-3/2011-FC(Vol-I) dated 21.03.2022 before issuing of the Final Approval.
- 4) State Govt has promulgated Notification dated 04.05.2024 under Section 5 of the Assam Forest Regulation, 1891 for declaring CA area in Lungdingkro Village to Proposed Reserve Forest. The onus of the final declaration as Reserve Forest shall lie with the State Govt.
- 5) The 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.
- 6) The kml files of the area to be diverted, the compensatory afforestation areas, proposed SMC work and WLMP area shall be uploaded on the e-Green watch portal with all requisite details as soon as the e-Green watch portal is upgraded/restored.
- 7) An annual compliance certificate on the stipulated conditions of the submitted human -Elephant- Conflict mitigation and Wildlife 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 Regional Office of Ministry of Environment, Forest & Climate Change.
- 8) The State Govt shall ensure that under no circumstances, implementation of mitigating measures envisaged in human-Elephant- Conflict mitigation and Wildlife Conservation plan should be delayed beyond a period of 2 years to ensure commencement of rejuvenation of ecosystem services lost from the forest area allowed for non-forestry use of forest land at the earliest possible time.
- 9) The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
- 10) The User Agency shall submit the Environmental Clearance letter to Sub Office Guwahati, Regional Office, Shillong for future monitoring purpose.
- 11) The lay out of the proposal shall not be changed without the prior approval of the Central Government.
- 12) No labour camps shall be established on the forest land.
- 13) Sufficient firewood, preferably the alternative 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 alternative fuel.
- 14) No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.

- 15) 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.
- 16) The forest land shall not be used for any purpose other than that specified in the project proposal.
- 17) 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.
- 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) 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.)
- 20) The user agency shall take precautions and care all the time not to impact adversely the surrounding forests and forest land by their actions/activities.
- 21) Tree felling shall be done only when absolutely unavoidable and such removal, if any shall be done under the supervision of the Forest department.
- 22) 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.
- 23) The user agency shall explore the possibility of successful translocation of maximum number of trees identified to the felled and shall ensure that any tree felling shall be done only when it is unavoidable that too under strict supervision of the State Forest Department.
- 24) The user agency shall submit the annual self-compliance report in respect of the above stated condition to the State Govt, concerned Regional Office and to the Ministry by the end of March every year.
- 25) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 & Van (Sanrakshan Evam Samvardhan) Rules, 2023, guideline & clarification, 2023.
- 26) The User Agency and the State Government shall ensure provisions of compliance of all the Acts, Rules, 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.
- 27) All the 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.

- 28) This approval may be revoked if the above conditions of approval are not complied to the satisfaction of the Regional Office, Shillong.
- 29) Any other conditions that the Regional Office, Shillong 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.

भवदीय,

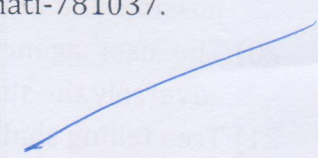


(Laetitia J. Syiemiong)

Deputy Inspector General of Forests (Central)

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.



Deputy Inspector General of Forests (Central)