

**BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA**

M.A No. 33 /2023

in

O.A No. 43/2020(EZ)

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Place: Guwahati

Date: 05.10.2023

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BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

M.A No. \_\_\_\_\_/2023

in

O.A No. 43/2020(EZ)

**IN THE MATTER OF:**

O.A No. 43/2023(EZ)

**Bonani Kakkar**

*...Applicant*

Versus

**Oil India Ltd. & Ors.**

*...Respondents*

-AND-

**IN THE MATTER OF:**

**1. Niranta Gohain**

S/o Late Bhugen Gohain

R/o Village – Natun Rongagora,

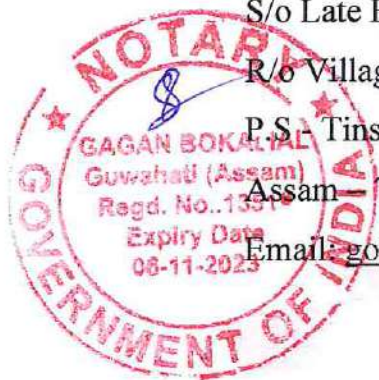
P.S. – Tinsukia, Dist. – Tinsukia,

Assam – 786147

Email: [gohainniranta@gmail.com](mailto:gohainniranta@gmail.com)

*...Applicant/s (in the instant M.A)*

- Versus -



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**Through its Chairman and Managing Director**  
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3. **Ministry of Petroleum and Natural Gas,**  
**Government of India**  
Represented by its Secretary,  
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**Government of India**  
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**Represented by the Chief Secretary**  
**Government of Assam**  
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**6. Deputy Commissioner, Tinsukia**

Office of the D.C Tinsukia

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Assam

Email: [dc-tinsukia@nic.in](mailto:dc-tinsukia@nic.in)

... Respondents (in the instant M.A)

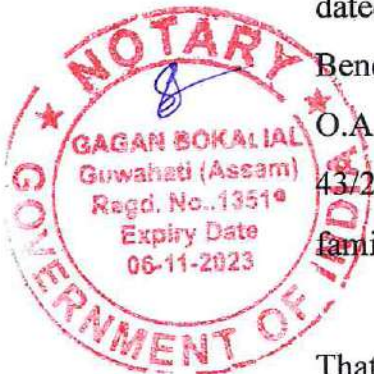
Humble petition of the applicant(s)/petitioner(s) above-named in the instant Miscellaneous Application.

**MOST RESPECTFULLY SHOWETH:-**

**A. PRELIMINARY SUBMISSION:**

1. That the issue for consideration in the instant matter is the non-payment of '*interim compensation*' to the victims on account of damage resulting from the incident of oil blowout on **27.05.2020** from the BGN-5 oil well belonging to Oil India Limited (*hereinafter referred to as "OIL"*), which released huge amount of toxic gases and other consequential events, including fire on **09.06.2020** at Baghjan village in Tinsukia district of Assam. The said fire was finally put off after around six months on **15.11.2020**.
2. That the instant Miscellaneous Application is being filed pursuant to an order dated **08.08.2023** passed by the Hon'ble National Green Tribunal (Principal Bench), New Delhi, in M.A No. 17/2023(EZ) and M.A No. 19/2023(EZ) in O.A No. 43/2020(EZ). Be it stated that M.A No. 17/2023(EZ) in O.A No. 43/2020(EZ) was preferred by the applicant for and on behalf of affected families of Natun Rongagora village due to the Baghjan disaster.

That the operative portion of the aforesaid order is given below:



“6. *The applicant has submitted that the compensation as directed by this Tribunal has not been paid to some of the persons by the District Administration.*

7. *In view of the directions issued by this Tribunal and by order of the Hon’ble Supreme Court, disbursement of the interim compensation shall be done by the District Administration after verifying the facts.*

8. *Learned Counsel appearing for the respondents has submitted that the amount as directed by this Tribunal and the Hon’ble Supreme Court has already been deposited in the office of District Administration. The applicant may approach to the authorities concerned for disbursement of the amount.*

9. *We have gone through the records and found that the amount, required to be paid by the Project Proponents/Respondents, had been deposited to the District Administration, Commissioner concerned and the applicant may approach the District Administration by moving an application for disposal and disbursement of the amount according to the rules.*

10. **However, in case of any grievance after that the applicant may file a separate application before the Eastern Zone Bench, Kolkata (having jurisdiction of the matter).**”



A copy of the order dated 08.08.2023 passed by the Hon’ble NGT (Principal Bench), New Delhi, in M.A No. 17/2023(EZ) and 19/2023/(EZ) in O.A No. 43/2020(EZ) is annexed as **ANNEXURE – A.**

3. That in compliance of the aforesaid order dated 08.03.2023 passed by the Hon’ble NGT (Principal Bench), New Delhi, the applicant along with other villagers of Natun Rongagora village submitted a detailed Representation dated 16.08.2023 with Respondent No. 6 D.C Tinsukia, seeking immediate disbursal of ‘interim compensation’ to the affected villagers of Natun Rongagora village in pursuance to the direction passed by the Hon’ble NGT (Principal Bench) in M.A No. 17/2023 and 19/2023 in O.A No. 43/2020(EZ).

Thereafter, Respondent No. 6 D.C Tinsukia vide letter No. TCA.12/2023/345 dated **08.09.2023** informed the applicant that he is not in a position to disburse compensation as claimed by the applicant and other villagers of Natun Rongagora. It was stated in the said letter that in order to fix the modalities for finalization of compensation to the affected families of Baghjan incident, a district level committee was formed vide order dated 29.06.2020 under the Chairmanship of D.C Tinsukia. And accordingly Circle Officer, Doomdooma, being the jurisdictional officer for Baghjan village submitted list of affected beneficiaries for Baghjan but no such list was obtained from Circle Officer, Tinsukia, under which Natun Rongagora village falls. Therefore, in view of the stand of the respondent authorities, the applicant as well as the affected families of Natun Rongagora village having no other alternative remedy hereby prefer the instant application before this Hon'ble Court praying for adequate relief.

A copy of Representation dated 16.08.2023 and D.C Tinsukia letter dated 08.09.2023 is annexed as **ANNEXURE – B and C.**



**FACTS IN BRIEF:**

4 That the applicant before your Lordships is a resident of Natun Rongagora village affected by the blowout and fire at BGN-5 well of OIL at Baghjan, and have been adversely impacted by the hydrocarbons, noise, heat, tremors, etc, that followed the explosion and the fire, resulting in loss of their home, property, livelihood, etc. The applicant is before this Hon'ble Court in his individual capacity as well as in the representative capacity being authorized by around 658 families of Natun Rongagora village, seeking '*interim compensation*' for the damages caused by the BGN-5 oil well disaster as they are not in a position to come individually, being from economically weaker

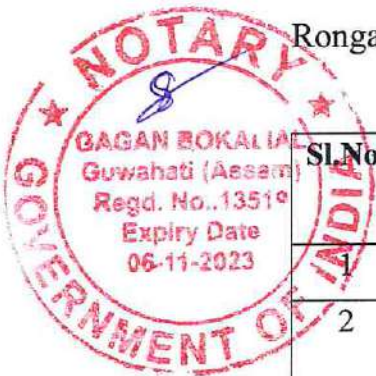
section of the society. Furthermore, the Baghjan disaster has severely affected them financially, mentally and physically. Therefore the applicant as well as the affected families represented by the applicant, are aggrieved persons under the National Green Tribunal Act, 2010.

A copy of the authorization is annexed as **ANNEXURE – D.**

5. That immediately after the blowout at the BGN-5 well of OIL at Baghjan on 27.05.2020, massive quantity of gas, oil condensates and other residual matters contaminated large areas of the Maguri-Motapung wetland, Dibru-Saikhowa Biosphere Reserve, including villages such as Natun Rongagora, Milanpur, Hatibaat, Motapung and others. The said villages were badly impacted by the pollution from the blowout and damaged several crop land, farmland, etc. Considering the said aspect, the applicant had submitted a representation dated 29.05.2020 before D.C Tinsukia.

A copy of the above-mentioned representation dated 29.05.2020 is annexed as **ANNEXURE – E.**

6. That the Tinsukia district administration subsequent to the Baghjan explosion on 09.06.2020 had set up a makeshift shelter at Guijan High School from around 10.06.2020 for the affected villagers of Natun Rongagora village and paid the affected villagers in two phases:-



Sl.No.	Particulars	No. of Families	Amount paid per Family	Total Amount (in Crores)
1	Immediate relief	630	Rs.25,000/-	Rs. 1.57
2	House rent, food, medical allowances, etc	652	Rs.50,000/-	Rs. 3.26

The aforesaid payment by OIL to the affected villagers of Natun Rongagora village and the fact that they had to leave their home and hearth to escape from the fire, condensate, noise, etc., and take shelters in makeshift relief camps for months on, clearly highlight the fact that they are the victims of the said Baghjan disaster, but they are yet to be compensated.

The applicant craves leave of this Hon'ble Court to submit the above-mentioned list of beneficiaries, at the time of final hearing and/or as and when the same is required before this Hon'ble Court.

7. That in June 2020 itself when the affected families were helter-skelter in relief camps, an original application was filed before this Hon'ble Court by an environmentalist, pertaining to the destruction caused by the blowout and explosion that took place in BGN-5 oil well at Baghjan, which was registered as O.A No. 43/2020(EZ) Bonani Kakkar vs. Oil India Ltd. & Ors.
8. That in the aforesaid O.A No. 43/2020(EZ), the Hon'ble NGT (Principal Bench), New Delhi, vide order dated **24.06.2020** constituted a Committee of Experts to look into the matter, headed by Hon'ble Mr Justice B.P. Katakey, former judge of the Hon'ble Gauhati High Court. Furthermore, in view of the *prima facie* case made out against OIL on the extent of damage caused to the environment and biodiversity, damage to both human and wildlife and public health, the Hon'ble NGT directed OIL to deposit an initial amount of Rs. 25 crores with the District Magistrate, Tinsukia District, Assam.



A copy of above-mentioned order dated 24.06.2020 passed by the Hon'ble NGT in O.A No. 43/2020(EZ) is annexed as ANNEXURE – F.

9. That in order dated **06.08.2020** passed by the Hon'ble NGT (Principal Bench) in OA No. 43/2020/EZ, the Expert Committee appointed by NGT also assessed the question of interim compensation to the affected villagers and recommended the following :

***“Preliminary Interim Measures***

***IV. Interim Compensation to the affected families***

1. *The Committee, proposes the formulation of three categories of affected families to assess the question of interim compensation namely;*

(i) *Those whose houses have been completely gutted by the fire thereby causing grave injury to life and health, loss of livelihood, cultivable land, livestock, damage to standing crops and horticulture, fisheries etc.*

(ii) *Those whose houses have been severely damaged thereby causing grave injury to life and health, loss of livelihood, cultivable land, livestock, damage to standing crops and horticulture, fisheries etc.*

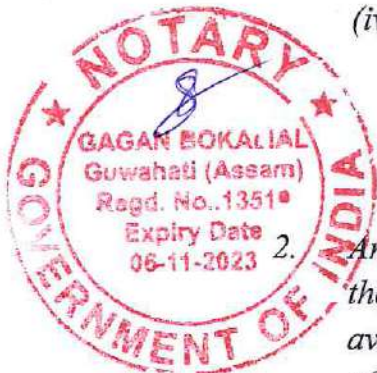
(iii) *Those whose houses have been moderately/partially damaged or whose standing crops and horticulture have been partially damaged thereby causing injury to life and health, loss of livelihood, cultivable land, livestock, damaged to fisheries etc*

- (iv) *The scale of interim compensation is as follows:*

*Category (i) Rs. 25 Lacs*

*Category (ii) Rs. 10 Lacs*

*Category (iii) Rs. 2.5 Lacs*



2. *An initial amount of Rs.25 Lacs will be released immediately to all the affected under category (i) whose information is already available with the Office of the District Administration. For the affected families under category, (ii) the amount of 10 lacs will be released immediately within an outer limit of 15 days, based on the information already available with the Office of the District Administration. The compensation amount, if any already paid, shall be deducted from the aforesaid amount of interim compensation.*

3. *The Office of the District Administration will compile a list of all those in Category (iii), who have been moderately / partially impacted, in consultation with the revenue officers, PWD, concerned circle officer, the Gaonburahs and community representatives of the affected villages. The disbursement of the amount will be completed expeditiously within an outer limit of 45 days from the passing of the order by the Hon'ble NGT for interim compensation.*
4. *The affected families, particularly under category (i) and (ii), whose names have been left out of the list would be entitled to the said amount after due verification within 7 days from the passing of the order by the Hon'ble NGT for interim compensation and the same will be disbursed within 15 days from the date of completion of the verification.*
5. *The interim compensation will be paid by OIL and from the funds which have already been made available to the Office of the District Administration. The balance amount, if any, will be made available immediately by OIL and as and when asked by the Office of the District Administration.*
6. *One-time compensation amounting to Rs.30,000/- that has been agreed to be paid by OIL to the affected families, who had moved to the relief camps due to Well Baghjan-5 blowout on 27.05.2020, as an immediate relief, will be disbursed immediately as per the list prepared by the circle officer, Doomdooma and available with the Office of the District Administration and not later than 7 days from the passing of the order by the Hon'ble NGT for interim compensation. The affected families whose names have been left out of the list would be entitled to the said amount after due verification and the same will be disbursed within 15 days from the passing of the order by the Hon'ble NGT for interim compensation.*



*One-time compensation of Rs.25,000/- will be disbursed to each of the affected families and individuals who had shifted to the relief camps in the wake of the explosion in Well Baghjan-5 on 09.06.2020 as an immediate relief as per the list prepared by the Circle officer, Doomdooma and available with the Office of the District Administration and not later than 7 days from the passing of the*

order by the Hon'ble NGT for interim compensation. The affected families whose names have been left out of the list would be entitled to the said amount after due verification and the same will be disbursed within 15 days from the passing of the order by the Hon'ble NGT for interim compensation.

8. The interim compensation as well as the one time compensation, as stated above, will be credited directly to the bank accounts of the affected families and individuals by the Office of the District Administration. The said interim compensation is non-recoverable and will be adjusted against the final compensation due to the affected families and individuals.
9. An immediate health insurance policy including COVID 19 will be made available by OIL to all affected individuals and families by the Well Baghjan-5 blowout and explosion and who are presently taking shelter in the relief camps within 7 days from the passing o of the order by the Hon'ble NGT for interim compensation.

17. According to the OIL, compensation has already been paid to persons covered by category (i) @ Rs.20 lakhs per family. The other two categories have not been identified. Additional compensation for category (i) is also not justified.”

That OIL objected to the recommendations made by the Committee. The objections of OIL were rejected and vide order dated 06.08.2020, the Hon'ble NGT, *inter alia*, accepted the recommendations of interim compensation made in the Preliminary Report. The relevant part of the order is extracted hereinbelow :



“18..... The recommendation of the Committee on the subject of compensation for three categories of victims are accepted with the clarification that the compensation already paid will be taken into the account and excluded from the interim compensation recommended by the Committee. Compensation to victims of categories (ii) and (iii) will be subject to identification by the District Administration which may be completed preferably within one month. We request the Assam State Legal Services Authority to oversee the process... ”

A copy of the order dated 29.07.2020 and 06.08.2020 passed by Hon'ble NGT in OA No. 43/2020/EZ is annexed as ANNEXURE – G & H.

10. That thereafter 'interim compensation' recommended by D.C Tinsukia and accepted by the Committee of Experts constituted by the National Green Tribunal (Principal Bench) was partially paid to the affected villagers of Baghjan village, i.e., Category – I was paid Rs.15.00 lakh per family and Category – II was paid Rs.10.00 lakh per family. But no such category was made nor any payments were made to the affected villagers of Natun Rongagora village.
11. That being aggrieved by the non-payment of any interim compensation to the affected families of Natun Rongagora village as per the three categories recommended by the Expert Committee and accepted by the Hon'ble NGT (Principal Bench) vide aforesaid order dated 06.08.2020, few villagers from Natun Rongagora submitted a representation dated 06.09.2020 before the Hon'ble Members of NGT (Principal bench) at New Delhi.



A copy of Representation dated 06.09.2020 is annexed as ANNEXURE – I.

That the applicant submitted an application dated 30.10.2020 with OIL regarding compensation for damages, and acting upon the said application Executive Director (HR&A), OIL, vide letter dated 02.11.2020 wrote to D.C Tinsukia to arrange for a survey by the assessment committee constituted vide letter no. TRF.3/2017-19/Pt-1/159 dated 03.06.2020 to assess the damage caused and to send a report for their needful action.

A copy of the letter dated 02.11.2020 from OIL is annexed as ANNEXURE – J.

13. That subsequent to aforesaid said letter from OIL dated 02.11.2020, there was no action on the part of D.C Tinsukia for around nine (9) months. Thereafter the Addl. Deputy Commissioner, Rev & DM Branch, Tinsukia, vide letter dated 05.08.2021 informed the Circle Officer, Tinsukia Revenue Circle, to submit a survey report at the earliest pertaining to the applicant. But there was not a whisper from the concerned Circle Officer, Tinsukia Revenue Circle in regard to the said survey report, hence the applicant submitted an application dated 27.10.2021 with the concerned Circle Officer, Tinsukia Revenue Circle, requesting him to submit the survey report at the earliest so that damages are assessed, categories identified and interim compensation can be disbursed.

A copy of letter dated 05.08.2021 from Addl. D.C Rev & DM Branch, Tinsukia and letter 27.10.2021 from the Applicant is annexed as ANNEXURE – K and L respectively.

14. That in the meantime vide letter dated 02.12.2020 addressed to the Deputy Commissioner, Tinsukia district, OIL acknowledged its liability to pay interim compensation to 600 affected families of Baghjan, albeit with a reduced compensation amount than as recommended by the Committee. But no such compensation was forthcoming in regard to Natun Rongagora village.



A copy of letter dated 02.12.2020 issued by the Resident Chief Executive, Oil India Limited is annexed as ANNEXURE – M.

15. That thereafter vide order dated 15.02.2021, the Hon'ble NGT disposed of O.A No. 43/2020/EZ with the following observations:

*"23. While the Committee has suggested payments towards compensation to be treated as interim, the OIL does not accept any further liability. In view of substantial number of victims having been compensated up to a reasonable level, the issue will have to be taken as concluded as far as the present proceedings are concerned. **This tribunal cannot enter into further adjudication in absence of the victims and authentic data.**"*

*"24. ....while requiring the OIL to pay whatever compensation is undisputed forthwith, we propose to leave the rest of the matter to be decided in appropriate remedies of the victims. However, we propose to lay down mechanism to deal with some of the issues emerging from the report of the Committee. **It is made clear that this order will not debar any victim of the occurrence who is aggrieved by denial of compensation or inadequacy of compensation to take remedies for such claim before any appropriate forum in accordance with law.**"*

A copy of the order dated 15.02.2021 passed by the Hon'ble NGT in O.A No. 43/2020/EZ is annexed herewith as **ANNEXURE – N.**

16. That the aforesaid O.A No. 43/2020(EZ) was taken in appeal before the Hon'ble Supreme Court of India vide Civil Appeal No. 2201/2021, and during the pendency of the proceedings, the instant applicant Monoj Hazarika intervened in the said Civil Appeal No. 2201/ 2021 via I.A. Nos. 135265/2021 representing the concerns of the residents of Baghjan village in regard to compensation. It is further stated that when the Civil Appeal No. 2201/2021 was taken up for hearing on **01.09.2022** and a concern was put before Court qua the disbursal of compensation, it was directed and made clear by the Hon'ble Apex Court that –



***“1. We clarify that the pendency of these proceedings shall not come in the way of disbursement of compensation to the affected villager in accordance with law.”***

A copy of order dated 01.09.2022 passed by the Hon’ble Apex Court in Civil Appeal No. 2201/2021 is annexed as **ANNEXURE – O.**

17. That the Civil Appeal No. 2201/2021 was disposed of by this Court on **23.01.2023**. It is relevant to note that, once again, it was put to this Hon’ble Court about the non-payment of interim compensation. The Hon’ble Court, after hearing all the parties including the instant applicant (intervenor in Civil Appeal No. 2201/2021), via the said order remanded the matter back to Hon’ble NGT and passed, inter alia, the following operative directions:

*“11. The other two committees, which have been constituted by the NGT, shall proceed to complete the task which has been assigned to them. In terms of the earlier directions, it is clarified that the pendency of the proceedings before the NGT shall not affect the disbursement of interim compensation to the affected villagers. The NGT shall, it is clarified, be at liberty to pass further directions in regard to assessing the compensation payable and for its disbursement to all the affected persons.*

12. *We keep open all the rights and contentions of the parties.*  
XXXX XXXX XXXX

15. **The disbursement of the interim compensation should be effected expeditiously and within a period of two months from the date of this order.”**



A copy of order dated 23.01.2023 passed by the Hon’ble Apex Court in Civil Appeal No. 2201 of 2021 is annexed herewith as **ANNEXURE – P.**

18. That the applicant begs to state herein that vide abovementioned order dated 23.01.2023 passed by the Hon'ble Apex Court in Civil Appeal No. 2201 of 2021, the issue of compensation got bifurcated into two parts, i.e., '*interim compensation*' and '*final compensation*'. That in regard to the issue of '*interim compensation*' the Hon'ble Apex Court directed the concerned authorities/respondents to disburse the interim compensation within a period of two months from the date of order. Whereas in regard to the issue of '*final compensation*' liberty was granted to NGT to issue appropriate directions for determining the modalities for the adjudication of the '*final compensation*' and its disbursement. But the Hon'ble NGT (Principal Bench), in the teeth of the Hon'ble Apex Court's directions, has erroneously and without hearing the affected parties, concluded the right to compensation of victims of Baghjan accident. Being aggrieved the applicant herein along with other affected villagers filed Appeal before the Hon'ble Apex Court against the final judgment and order dated 10.03.2023 passed by the Hon'ble NGT (Principal Bench), New Delhi in O.A No. 43/2020, which was registered and numbered as Civil Appeal No. 15374/2023, presently pending before the Hon'ble Supreme Court of India.

19. That it is submitted that, in view of the direction passed by the Hon'ble Apex Court directing the concerned authorities to disburse the interim compensation within a period of two months from the date of order, the applicant/s had legitimate expectation that the concerned authorities will comply with the direction given in the order dated 23.01.2023 and take necessary steps towards disbursement of interim compensation, within the timeframe given, i.e., two months. The applicant/s made several representations to the D.C, Tinsukia for disbursement of interim compensation to the affected villagers of Baghjan, but, to no avail.

A copy of the representation dated 27.01.2023 and 18.03.2023 is annexed as ANNEXURE – O (colly.)



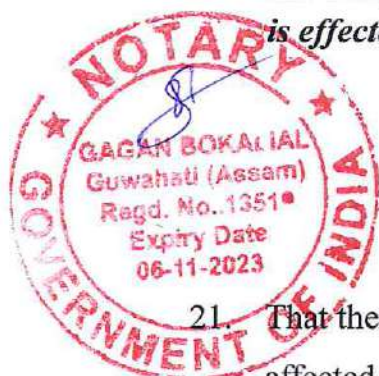
20. That D.C Tinsukia did not comply with the direction of the Hon'ble Apex Court in its order dated 23.01.2023 passed in Civil Appeal No. 2201/2021 and thereby caused grave prejudice and detriment to the applicant/s and other affected villagers, who continue to suffer from the irreparable damage caused by the Baghjan disaster. Therefore the applicant herein preferred a contempt petition before the Hon'ble Supreme Court of India, being Contempt Petition (C) Diary No. 19943/2023 in Civil Appeal No. 2201/2021, and the Hon'ble Apex Court vide its order dated 14.07.2023 directed as follows:

*"2. The grievance of the petitioners arises from an order passed by the National Green Tribunal on 24 July 2020 for the payment of interim compensation.*

*3. On 23 January 2023, this Court directed that the disbursement of interim compensation should be effected expeditiously, within a period of two months. Thereafter, an order has been passed by the NGT on 10 March 2023 against which an independent appeal has been filed before this Court. However, the petitioners claim for the disbursement of the interim compensation would, in the submission, still survive in terms of the order passed by this Court on 23 January 2023.*

*4. Since the grievance is that the interim compensation has still not been disbursed, we grant liberty to the petitioners to move a miscellaneous application before the NGT for espousing their relief. We request the NGT to take up the miscellaneous application expeditiously so as to ensure that due compliance of the order for the disbursement of interim compensation is effected, if not already done."*

A copy of the Hon'ble Apex Court order dated 14.07.2023 is annexed as ANNEXURE – R



21. That thereafter the instant applicant Niranta Gohain for and on behalf of the affected families of Natun Rongagora village preferred M.A No. 17/2023 in O.A No. 43/2020/EZ before the Hon'ble NGT (Principal Bench) and the

Hon'ble NGT (Principal Bench) directed D.C Tinsukia for the disbursement of interim compensation and the applicant to approach the District Administration vide Order dated **08.08.2023 (annexed as Annexure – A)**.

22. That accordingly the applicant along with other villagers of Natun Rongagora village submitted a detailed Representation dated 16.08.2023 **(annexed as Annexure – B)** with D.C Tinsukia, seeking immediate disbursal of 'interim compensation' to the affected villagers of Natun Rongagora. Thereafter, as stated in paragraph 3 of the preliminary submission of the instant application the Respondent No. 6 D.C Tinsukia vide letter No. TCA.12/2023/345 dated 08.09.2023 informed the applicant that in order to fix the modalities for finalization of compensation to the affected families of Baghjan incident, a district level committee was formed vide order dated 29.06.2020 under the Chairmanship of D.C Tinsukia. And accordingly Circle Officer, Doomdooma, being the jurisdictional officer for Baghjan village submitted list of affected beneficiaries for Baghjan but no such list was obtained from Circle Officer, Tinsukia, under which Natun Rongagora village falls. Therefore he is not in a position to disburse compensation as claimed by the applicant and other villagers of Natun Rongagora.

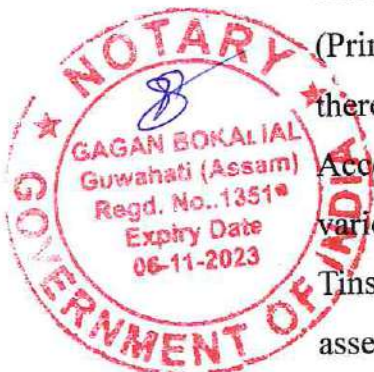
23. That as stated earlier in the instant application, the applicant submitted application dated 30.10.2020 with OIL regrading compensation for damages, and acting upon the said application Executive Director (HR&A), OIL, vide letter dated 02.11.2020 wrote to D.C Tinsukia to arrange for a survey by the assessment committee constituted vide letter dated 03.06.2020 to assess the damage caused and to send a report for their needful action. Subsequent to aforesaid said letter from OIL dated 02.11.2020, there was no action on the part of D.C Tinsukia for around nine (9) months. Thereafter Addl. Deputy Commissioner, Rev & DM Branch, Tinsukia, vide letter dated 05.08.2021 informed the Circle Officer, Tinsukia Revenue Circle, to submit a survey report at the earliest pertaining to the applicant. But there was not a whisper



from the concerned Circle Officer, Tinsukia Revenue Circle in regard to the said survey report, hence the applicant submitted an application dated 27.10.2021 with the concerned Circle Officer, Tinsukia Revenue Circle, requesting him to submit the survey report at the earliest so that damages are assessed, categories identified and interim compensation can be disbursed. But even after repeated communications to the Circle Officer Tinsukia Revenue Circle, the survey reports as well as the affected families/beneficiary list for Natun Rongagora village was not forwarded to the District Level Committee was formed vide order dated 29.06.2020 under the Chairmanship of D.C Tinsukia towards finalization of compensation to the affected families of Baghjan incident.

24. That the applicant begs to state that the case of the applicant as stated above highlight the plight of the affected families of Natun Rongagora village, who are being deprived of the compensation for the damages only because the non-action and lackadaisical attitude of the District Administration of Tinsukia district. The D.C Tinsukia being the administrative head of the district has to take responsibility for his subordinate officer, i.e., the Circle Officer, Tinsukia Revenue Circle for non-submission of the survey report towards the damages and compensation of the affected families of Natun Rongagora village. Under such circumstances this is a fit case for the interference of this Hon'ble Court.

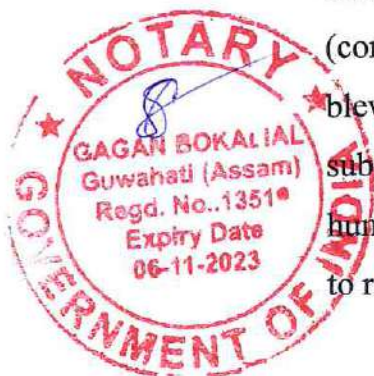
25. That the Tinsukia district administration assured the affected families of Natun Rongagora that assessment will be done according to the NGT (Principal Bench) order dated 06.08.2020 in O.A No. 43/2020(EZ), thereafter category list will be prepared and compensation will be disbursed. Accordingly extensive survey was conducted at Natun Rongagora village by various Departments. But despite such surveys and assessments, the Tinsukia district Administration did not act upon the said surveys and assessments and also did not prepare the category list of the affected families



of Natun Rongagora villae, as per the three categories created by the Hon'ble NGT (Principal Bench) vide order dated 06.08.2020 in O.A No. 43/2020(EZ). The said inaction and non-compliance of the order of this Hon'ble Court is in fact wilful disobedience of this Hon'ble Court's order as mentioned above. Under such circumstances this is a fit case for the interference of this Hon'ble Court.

26. That the villagers of Natun Rongagora, have suffered extensive loss of their homes, livestock, farmstead, including their livelihood and health, due to the BGN-5 well explosion. Hence, they are also entitled to interim compensation on account of the categories identified by the afore mentioned Hon'ble NGT (Principal Bench) order dated 06/08/2020, as the said order categorically observed that compensation to victims of categories (ii) and (iii) will be subject to identification by the Tinsukia District Administration, which may be completed preferably within one month. But despite such specific directions from the Hon'ble NGT (Principal Bench), the Tnsukia district administration is seating over it for reasons best known to them, thereby depriving the villagers of Natun Rongagora from receiving the requisite compensation. Under such circumstances this is a fit case for the interference of this Hon'ble Court.

27. That Natun Rongagora village is situated within between 1.5 to 5 km from the explosion site of the BGN-5 well at Baghjan. The Brahmaputra River flows from the east to west through BGN-5. The wind blows constantly from east to west along the river. For the first 14 days of the BGN-5 explosion, oil (condensate) was flowing about 200 meters up the shaft. Riverside winds blew them away and splashed about 10 km's to the west. These deadly substances destroyed agricultural land and adversely affected the health of humans and other life. But the affected families of Natun Rongagora are yet to receive interim compensation.

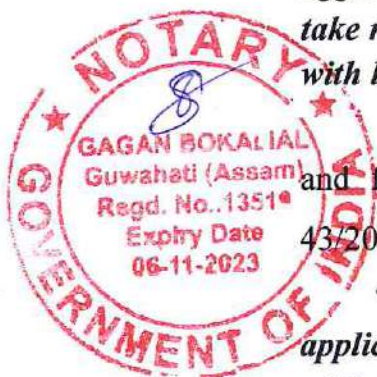


28. That when the blowout caught fire, it created intense noise and heat and flowed westward in the wind. BGN-5 is located in the downstream part of the west of Baghjan village and Natun Rangagara is located in the downstream part of the west of it. Therefore being located downstream from the explosion site, Natun Rongagora village was heavily polluted by the condensate and gases released from the Baghjan explosion and fire that continued to burn for around 6 months.
29. That O.A No. 43/2020(EZ) Bonani Kakkar vs. OIL & Ors. was filed in the Hon'ble NGT in the month of June 2020 and it was finally disposed of by this Hon'ble Court in January 2021. Be it stated that after the blowout and fire the affected families had to live their houses and take shelter in relief camps or in rented accommodation from around May-June 2020 till around October-November 2020. Thereafter it took another 5-6 months to attain some semblance of normalcy in their life and hence the affected families at that point of time couldn't fathom of approaching or participate before this Hon'ble Court earlier. But the non-participation or non-representation of the affected families of Natun Rongagora village for genuine and justified reasons should not deprive their right to be paid interim compensation by the project proponent for the damages and losses suffered by them. Be it stated that this Hon'ble Court has observed vide order dated 15.01.2021 in O.A No. 43/2020/EZ that the –

*“...this order will not debar any victim of the occurrence who is aggrieved by denial of compensation or inadequacy of compensation to take remedies for such claim before any appropriate forum in accordance with law”*

and further reiterated in M.A No. 17/2023 and 19/2023 in O.A No. 43/2020/EZ that –

*“in case of any grievance after that the applicant may file a separate application before the Eastern Zone Bench, Kolkata (having jurisdiction of the matter).*



**C. LEGAL PROPOSITION:**

30. That section 25 sub-section (1) of the National Green Tribunal Act, 2010 states that –

***“25. Execution of award or order or decision of Tribunal. – (1) An award or order or decision of the Tribunal under this Act shall be executable by the Tribunal as a decree of a civil court, and for this purpose, the Tribunal shall have all the powers of a civil court.”***

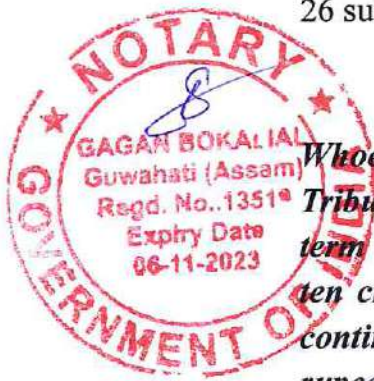
The applicant further states that the Hon’ble NGT (Principal Bench), New Delhi vide order dated 08.08.2023 in M.A No. 17/2023(EZ) and M.A No. 19/2023/(EZ) in O.A No. 43/2020(EZ) directed as follows:

***“In view of the directions issued by this Tribunal and by order of the Hon’ble Supreme Court, disbursement of the interim compensation shall be done by the District Administration after verifying the facts.”***

Be it stated that even after, there, being specific order from this Hon’ble Court to disburse the interim compensation by D.C Tinsukia, the same has not being complied with, in contravention of the provisions of the NGT Act, 2010 among other laws. Under such circumstances this is a fit case for the interference of this Hon’ble Court and to grant adequate interim relief to the affected families.

31. That non-compliance of the order of this Hon’ble Court is dealt under section 26 sub-section (1) of the NGT Act, 2010, which states as follows:

***“26. Penalty for failure to comply with orders of Tribunal. – (1) Whoever, fails to comply with any order or award or decision of the Tribunal under this Act, he shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to ten crore rupees, or with both and in case the failure or contravention continues, with additional fine which may extend to twenty-five thousand rupees for every day during which such a failure or contravention continues after conviction for the first such failure or contravention:***



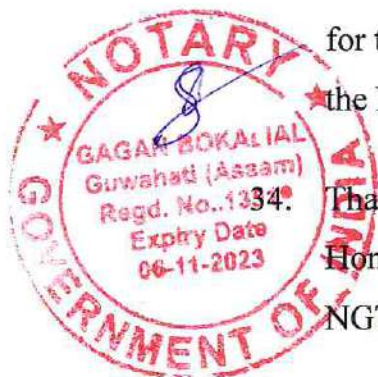
*Provided that in case a company fails to comply with any order or award or a decision of the Tribunal under this Act, such company shall be punishable with fine which may extend to twenty-five crore rupees, and in case the failure or contravention continues, with additional fine which may extend to one lakh rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention.”*

32. That the offences committed by companies and by Government department is covered under section 27 and 28 of the NGT Act, 2010, which states as follows:

*“27. Offences by companies – (1) Where any offence under this Act has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly”, and*

*“28. Offences by Government Department. – (1) Where any Department of the Government fails to comply with any order or award or decision of the Tribunal under this Act, the Head of Department shall be deemed to be guilty of such failure and shall be liable to be proceeded against for having committed an offence under this Act and punished accordingly”*

33. That the D.C Tinsukia, who is the head of the district and OIL, are jointly and severely liable for the non-payment of compensation to the affected families of Natun Rongagora village and for failure to comply with the orders of this Hon’ble Tribunal. Under such circumstances this is a fit case for the imposition of penalty under the provision of section 26, 27 and 28 of the NGT Act, 2010, on D.C Tinsukia and OIL respectively.



That the instant application is pursuant to the Hon’ble Apex Court and Hon’ble NGT orders as mentioned earlier, and covered by section 15 of the NGT Act, 2010, which states as follows:

***“15. Relief, compensation and restitution – (1) The Tribunal may, by an order, provide –***

- (a) relief and compensation to the victims of pollution and other environmental damage arising under the enactments specified in the Schedule I (including accident occurring while handling any hazardous sub-stance);***
- (b) for restitution of property damaged;***
- (c) for restitution of the environment for such area or areas, as the Tribunal may think fit.”***

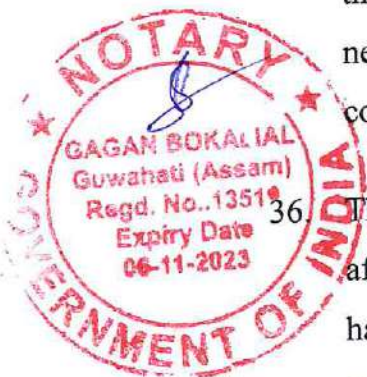
Furthermore, the instant application is covered under section 15 sub-section (3) of the NGT Act, 2010, i.e., within the statutory period of five years from the date on which the cause for such compensation or relief first arose.

35. That section 17 (1) of the NGT Act, 2010 states as follows:-

***“17. Liability to pay relief or compensation in certain cases – (1) Where death of, or injury to, any person (other than a Workman) or damage to any property or environment has resulted from an accident or the adverse impact of an activity or operation or process, under any enactment specified in Schedule I, the person responsible shall be liable to pay such relief or compensation for such death, injury or damage, under all or any of the heads specified in Schedule II, as may be determined by the Tribunal.”***

The applicants further states that compensation to victims is a form of remedy to lessen the direct and secondary effects of the disaster. But even though more than three years have elapsed since the Baghjan blowout, neither the complete disbursal of the ‘interim compensation’ nor the ‘final compensation’ for the damages are forthcoming.

36. That the purpose of damages is a form of restitution, that is, to restore the affected people to the position he or she would have been in if the damage had not been committed. Such damages, therefore, correspond to a fair and reasonable compensation for the injury. In the Shriram Gas Leak case, i.e., M.C Mehta v Union of India AIR 1987 SC 1086, oleum gas escaped from a



unit of the Shriram Food and Fertilizer Industries and injured citizens of Delhi. The Supreme Court observed that – *“in such cases, compensation ‘must be correlated to the magnitude and capacity of the enterprise because such compensation must have a deterrent effect. The larger and more prosperous the enterprise, the greater must be the amount of compensation payable by it...”*

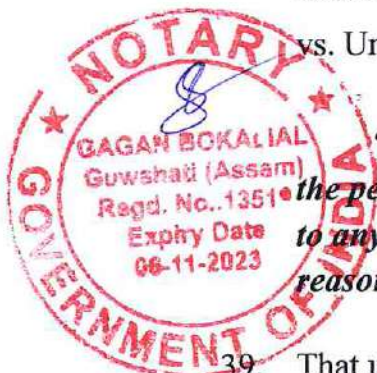
37. That in Oleum Gas Leak case M.C Mehta vs. Union of India, 1987 (1) SCC 395, the Apex Court observed as follows –

*“We are of the view that an enterprise which is engaged in a hazardous or inherently dangerous industry which poses a potential threat to the health and safety to the persons working in the factory and residing in the surrounding areas owes an absolute and non-delegable duty to the community to ensure that no harm results to anyone on account of hazardous or inherently dangerous nature of the activity which it has undertaken. The enterprise must be held to be under an obligation to provide that the hazardous or inherently dangerous activity in which it is engaged must be conducted with the highest standards of safety and if any harm results on account of such activity the enterprise must be absolutely liable to compensate for such harm and it should be no answer to the enterprise to say that it had taken all reasonable care and that the harm occurred without any negligence on its part.”*

38. That compensation and participation in the restorative plans is a form of remedy to lessen the direct and secondary effects of the disaster for those who have been directly affected. In Indian Council for Eniro-Legal Action vs. Union of India, 1996 (3) SCC 212, the Apex Court observed as follows:–

*“...once the activity carried on is hazardous or inherently dangerous, the person carrying on such activity is liable to make good the loss caused to any other person by his activity irrespective of the fact whether he took reasonable care while carrying on his activity.”*

39. That under Article 48-A of the Constitution of India it states that -



*“the State shall endeavour to protect and improve the environment and to safeguard the forests and wild life of the country.”*

40. Therefore in view of the above a clear case exists for the grant of adequate ‘interim compensation’ due to the affected families of Natun Rongagora village as per the three categories recommended by the Expert Committee and accepted by the Hon’ble NGT (Principal Bench) vide order dated 06/08/2020 in O.A No. 43/2020(EZ).
41. That the applicant submits that he has not filed any other or similar petition before this Hon’ble Court seeking same or similar relief sought vide the instant application.
42. The present application is made bona fide and in the interest of justice.

#### INTERIM PRAYER

For the aforesaid reasons, the applicant for and on behalf of the affected families of Natun Rongagora village most humbly prays that this Hon’ble Court may be please to:

- (i) direct the respondent authorities, more particularly Circle Officer Tinsukia Revenue Circle to immediately submit the damage assessment and survey report with D.C Tinsukia towards grant of ‘interim compensation, and/or
- (ii) direct D.C Tinsukia to submit the damage assessment and survey report before this Hon’ble Court towards grant of ‘interim compensation, and/or

- (iii) call for the records from the concerned authorities for the grant of ‘interim compensation’.



### PRAYER

For the aforesaid reasons, the applicant for and on behalf of the affected families of Natun Rongagora village most humbly prays that this Hon'ble Court may be please to:

- (i) direct the respondents to immediately declare the category list in regard to Natun Rongagora village according to the Categories – I, II and III, that was accepted by the Committee of Experts headed by Justice B.P Katakey as well as by the Hon'ble NGT, towards '*interim compensation*', and/or
- (ii) direct the respondents to expeditiously disburse the '*interim compensation*' amount to the affected villagers of Natun Rongagora, and/or
- (iii) grant such other consequential reliefs pertaining to '*interim compensation*' that this Hon'ble Court deems fit and proper, including interest on the '*interim compensation*' amount being due, and/or
- (iv) pass any other such order(s)/direction(s) as this Hon'ble Tribunal seem fit and proper under the facts and circumstances of the present case.

**Place: Guwahati**

**Date: 05.10.2023**

**FILED BY:**

*Vikram Rajkhowa*



**Vikram Rajkhowa**  
**Advocate for the Applicant/s**  
504, Amazing Grace Apptt.,  
S.K.B Road, Dighalipukhuri (East)  
Guwahati – 7810001 (ASSAM)  
[vikram.rajkhowa@gmail.com](mailto:vikram.rajkhowa@gmail.com)  
(+91) 9954348258

Instrument Sl. No. 115  
Date: 05/10/2023

-27-

BEFORE THE NATIONAL GREEN TRIBUNAL  
EASTERN ZONE BENCH, KOLKATA

M.A No. \_\_\_\_\_/2023

in

O.A No. 43/2020(EZ)

IN THE MATTER OF:

Niranta Gohain

: Applicant/s

Vs.

Bonani Kakkar & Ors.

: Respondents

AFFIDAVIT

I, Niranta Gohain, son of Late Bhugen Gohain, aged around 44 years, resident of Village - Natun Rongagora, P.O - Rongagora, P.S - Tinsukia, in the district of Tinsukia, Assam, do hereby solemnly affirm and state as under:

1. That I am the applicant in the present application, and I am conversant with the facts and circumstances of the case, as such I am competent to swear this affidavit.
2. That I am also authorized by other villagers of Natun Rongagora, as such I am competent to swear this affidavit on their behalf.
3. That the accompanying application has been drafted by my counsel on my/our instructions and I/we have read and understood the contents of the same and nothing material has been concealed therefrom.



*Niranta Gohain*

DEPONENT

GAGAN BOKALIYAL  
NOTARY (GOVT. OF INDIA)  
Guwahati (Assam)  
Regd. No.- 13518

5 OCT 2023

**Verification**

I, the above-named deponent, do hereby verify that the contents of the affidavit are true and correct to the best of my knowledge and nothing material has been concealed therefrom.

Solemnly affirmed on this 5<sup>th</sup> day of October 2023 at Guwahati, Assam.

*Niranta Chai*

**DEPONENT**

*8*

**GAGAN BOKALIAL**  
**NOTARY (GOVT. OF INDIA)**  
**Guwahati (Assam)**  
**Regd. No.- 13518**



05 OCT 2023

VAKALATNAMA

BEFORE THE NATIONAL GREEN TRIBUNAL (NGT),  
EASTERN ZONE BENCH AT KOLKATA

M.A No. of 2023

in

O.A No. 43/2020(EZ)

IN THE MATTER OF:

Niranta Gohain : Applicant(s)

Vs.

Oil India Ltd. & Ors. : Respondents

Know all men by these presents that the above named  
NIRANTA SOHAIN

do hereby nominate,  
constitute and appoint Ankur Jyoti Sarma and Vikram Rajkhowa,  
Advocates, as shall accept this Vakalatnama to be his/their true and lawful Advocates to  
appear and act for him/them in the matter noted above and in connection therewith and for  
that purpose to do all acts whatsoever in that connection including depositing or drawing  
money, filing in or taking out papers, deeds of composition, etc., for him/them and on  
his/their behalf and I/We agree to ratify and confirm all acts to be done by the said  
Advocates as mine/ours for all intents and purposes. In case of non-payment of the  
stipulated fee in full, no Advocate will be bound to appear and act on my/our behalf. In  
witness whereof I/we hereunto set my hand on this day of July 2023.

Received from the executants  
Satisfied and accepted as I/We  
Hold no brief for the other side.

*Niranta Gohain*

(Signature of Executants)

*Vikram Rajkhowa*  
Advocate

*Ankur Jyoti Sarma*  
Advocate

Advocate



Item No. 01

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

**(BY HYBRID MODE)**

M.A. No.17/2023 (EZ) & M.A. No.19/2023 (EZ)  
IN  
Original Application No. 43/2020(EZ)

Bonani Kakkar

Applicant

Versus

Oil India Limited & Ors.

Respondent(s)

Niranta Gohain & Anr.

Applicant in MAs

Date of hearing: 08.08.2023

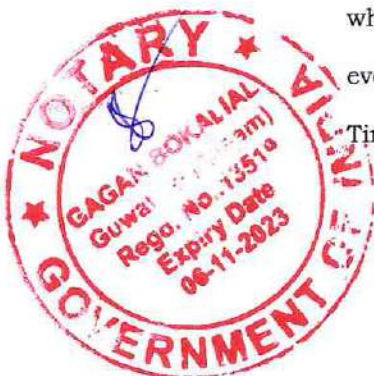
**CORAM: HON'BLE MR. JUSTICE SHEO KUMAR SINGH, CHAIRPERSON  
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI, JUDICIAL MEMBER  
HON'BLE DR. A. SENTHIL VEL, EXPERT MEMBER**

Applicant: Mr. Devansh A Mohta & Ms. Mallika Agarwal, Advs. for Applicants  
in M.A 17 & 19/2023 (EZ)

Respondent: Mr. Sridhar Potaraju & Ms. Petal Chandhok, Advs. for Oil India  
Ltd. Mr. Raj Kumar, Adv. for CPCB

**ORDER**

1. An incident of oil blowout, happened on 27.05.2020 from the oil well belonging to the Oil India Limited (OIL).
2. **The issue** for consideration in these matters is the remedial steps for restoration of the environment and compensation to the victims on account of damage resulting from the incident of **oil blowout** on 27.05.2020 from the oil well belonging to the Oil India Limited (OIL) which released huge amount of toxic gases and, other consequential events, including fire incident 09.06.2020 that followed, at Baghjan in Tinsukia District of Assam. The fire was finally put off on 15.11.2020,



after almost six months and well killing operations were successfully completed on 03.12.2020, after six months, as per version of the OIL filed before this Tribunal on 16.12.2020. Adverse impact of the incident on human beings and environment was large. **As per affidavit dated 27.07.2020 filed by the OIL, more than 9000 persons were displaced and sheltered in 12 relief camps, (with 750 persons in each), 10 camps immediately after 27.05.2020 incident and 02 camps added after 09.06.2020 incident. As on 22.07.2020, 07 camps were still continuing with 5758 occupants. 3000 affected families were paid Rs. 30,000/- each as one-time compensation, apart from the compensation of Rs. 20 lakhs each to 11 families whose houses were burnt. A sum of Rs. 11.17 crores was spent on the relief camps as on 23.07.2020. According to the OIL, more than Rs. 151 crores was required towards operational cost for controlling the blowout. By a subsequent letter dated 02.12.2020, the OIL has accepted its liability to pay Rs. 68.05 crores further amount to 600 affected families (Rs. 15 lakhs each to 161 families where damage to the houses is total and Rs. 10 lakhs each to 439 families where damage to the houses is severe). OIL has proposed to the District Collector, Tinsukia that it will pay compensation of Rs. 50,000/- each to 612 families who have left the camp for rental, accommodation, food and other facilities, as stated in the report dated 10.12.2020 of the Committee appointed by this Tribunal (paras 4 and 5). A sum of Rs. 90.796 crore stands deposited by the OIL with the District Collector.**

3. The matter was heard by this Tribunal and necessary directions were issued to the authorities concerned for taking remedial actions and disbursement of compensation.



4. By way of filing Miscellaneous Applications, the applicant has prayed to execute the order by the respondents and direction to the respondents to expeditiously disburse the interim compensation due to the affected families as per category list as directed in OA No. 43/2020(EZ).

5. Contention of the learned Counsel appearing for the Applicant is that after the order of this Tribunal, a Civil Appeal No. 2201 of 2021, *Bonani Kakkar vs. Oil India Limited & Ors.* was filed before the Hon'ble Supreme Court of India where direction was issued that the disbursement of the interim compensation should be effective expeditiously and within a period of two months from the date of this order. Annexure 1 discloses the list of various persons whom amount of compensation has been paid by the District Administration.

6. The applicant has submitted that the compensation as directed by this Tribunal has not been paid to some of the persons by the District Administration.

7. In view of the directions issued by this Tribunal and by order of the Hon'ble Supreme Court, disbursement of the interim compensation shall be done by the District Administration after verifying the facts.

8. Learned Counsel appearing for the respondents has submitted that the amount as directed by this Tribunal and the Hon'ble Supreme Court has already been deposited to the office of District Administration. The applicant may approach to the authorities concerned for disbursement of the amount.

9. We have gone through the records and found that the amount, required to be paid by the Project Proponents/Respondents, had been



deposited to the District Administration, Commissioner concerned and the applicant may approach the District Administration by moving an application for disposal and disbursement of the amount according to the rules.

10. However, in case of any grievance after that the applicant may file a separate application before Eastern Zone Bench, Kolkata (having jurisdiction of the matter).

11. Accordingly, the applications stand disposed of.

Sheo Kumar Singh, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 08, 2023  
M.A. No.17/2023 (EZ) & M.A. No.19/2023 (EZ)  
IN Original Application No. 43/2020(EZ)  
DV



Dated 16/08/2023

To,

The Deputy Commissioner, Tinsukia  
Office of the D.C Tinsukia  
Borguri, District - Tinsukia  
PIN - 786125  
Assam

**Sub.: Disbursement of 'Interim Compensation' to 658 families of Natun Rongagora village as per directions issued by the Hon'ble National Green Tribunal, Principal Bench, New Delhi, vide order dated 08.08.2023 in M.A No. 17/2023(EZ) and M.A No. 19/2023(EZ) in O.A No. 43/2020(EZ) Bonani Kakkar vs. Oil India Ltd. & Ors.**

Sir,

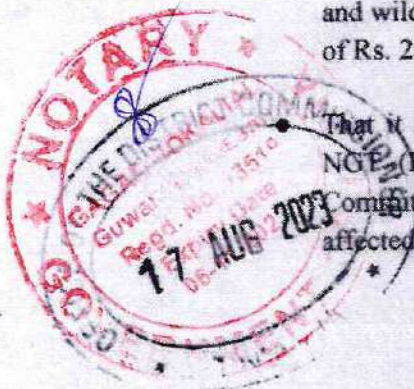
With reference to the above subject, we would like to bring to your kind notice that the issue for consideration is the 'Interim Compensation' of the victims on account of damage resulting from the incident of oil blowout on 27.05.2020 from the oil well belonging to the Oil India Limited (in short "OIL") which released huge amount of toxic gases and other consequential events, including fire incident on 09.06.2020 that followed at Baghjan village in Tinsukia district of Assam and finally put off on 15.11.2020, after almost six months.

That due to the destruction and damage caused by the blowout and explosion that took place at Baghjan Oil Well resulting from the acts and omissions of OIL, the residents of Natun Rongagora village have been adversely impacted by the hydrocarbons, noise, heat, tremors, etc., that followed the explosion and the fire resulting in loss of their livelihood, home, property, among others.

The applicants herein are around 661 affected families of Natun Rongagora village in Tinsukia district of Assam, who would like to bring the following to your kind notice and attention, thereby seeking your urgent intervention:

1. That subsequent to aforesaid blowout and fire at Baghjan an Original Application was filed before the Hon'ble National Green Tribunal in the month of June 2020 by an environmentalist Bonani Kakkar, which was registered as O.A No. 43/2020(EZ).
  - That vide order dated 24.06.2020, the Hon'ble NGT constituted a Committee of Experts to look into the matter, headed by Hon'ble Mr Justice B.P. Katakey, former judge of the Gauhati High Court. Further, in view of the *prima facie* case made out against OIL on the extent of damage caused to the environment and biodiversity, damage to both human and wildlife and public health, the Hon'ble NGT directed OIL to deposit an initial amount of Rs. 25 crores with the District Magistrate, Tinsukia District, Assam.

That it is reflected in Order dated 6<sup>th</sup> August 2020 06.08.2020 passed by the Hon'ble NGT (Principal Bench) in above-mentioned O.A No. 43/2020(EZ) that the Expert committee appointed by NGT also assessed the question of interim compensation to the affected villagers and recommended the following:



**“IV. Interim Compensation to the affected families**

1. The Committee, proposes the formulation of three categories of affected families to assess the question of interim compensation namely:
  - (i) Those whose houses have been completely gutted by the fire thereby causing grave injury to life and health, loss of livelihood, cultivable land, livestock, damage to standing crops and horticulture, fisheries etc.
  - (ii) Those whose houses have been severely damaged thereby causing grave injury to life and health, loss of livelihood, cultivable land, livestock, damage to standing crops and horticulture, fisheries etc.
  - (iii) Those whose houses have been moderately/partially damaged or whose standing crops and horticulture have been partially damaged thereby causing injury to life and health, loss of livelihood, cultivable land, livestock, damaged to fisheries etc
- (iv) The scale of interim compensation is as follows:  
Category (i) Rs. 25 Lacs  
Category (ii) Rs. 10 Lacs  
Category (iii) Rs. 2.5 Lacs
2. An initial amount of Rs.25 Lacs will be released immediately to all the affected under category (i) whose information is already available with the Office of the District Administration. For the affected families under category, (ii) the amount of 10 lacs will be released immediately within an outer limit of 15 days, based on the information already available with the Office of the District Administration. The compensation amount, if any already paid, shall be deducted from the aforesaid amount of interim compensation.
3. The Office of the District Administration will compile a list of all those in Category (iii), who have been moderately / partially impacted, in consultation with the revenue officers, PWD, concerned circle officer, the Gaonburahs and community representatives of the affected villages. The disbursement of the amount will be completed expeditiously within an outer limit of 45 days from the passing of the order by the Hon'ble NGT for interim compensation.
4. The affected families, particularly under category (i) and (ii), whose names have been left out of the list would be entitled to the said amount after due verification within 7 days from the passing of the order by the Hon'ble NGT for interim compensation and the same will be disbursed within 15 days from the date of completion of the verification.
5. The interim compensation will be paid by OIL and from the funds which have already been made available to the Office of the District Administration. The balance amount, if any, will be made available immediately by OIL and as and when asked by the Office of the District Administration.
6. One-time compensation amounting to Rs.30,000/- that has been agreed to be paid by OIL to the affected families, who had moved to the relief camps due to Well Baghjan-5 blowout on 27.05.2020, as an immediate relief, will be disbursed immediately as per the list prepared by the circle officer,



Doomdooma and available with the Office of the District Administration and not later than 7 days from the passing of the order by the Hon'ble NGT for interim compensation. The affected families whose names have been left out of the list would be entitled to the said amount after due verification and the same will be disbursed within 15 days from the passing of the order by the Hon'ble NGT for interim compensation.

7. One-time compensation of Rs.25,000/- will be disbursed to each of the affected families and individuals who had shifted to the relief camps in the wake of the explosion in Well Baghjan-5 on 09.06.2020 as an immediate relief as per the list prepared by the Circle officer, Doomdooma and available with the Office of the District Administration and not later than 7 days from the passing of the order by the Hon'ble NGT for interim compensation. The affected families whose names have been left out of the list would be entitled to the said amount after due verification and the same will be disbursed within 15 days from the passing of the order by the Hon'ble NGT for interim compensation.
  8. The interim compensation as well as the one-time compensation, as stated above, will be credited directly to the bank accounts of the affected families and individuals by the Office of the District Administration. The said interim compensation is non-recoverable and will be adjusted against the final compensation due to the affected families and individuals.
  9. An immediate health insurance policy including COVID 19 will be made available by OIL to all affected individuals and families by the Well Baghjan-5 blowout and explosion and who are presently taking shelter in the relief camps within 7 days from the passing o of the order by the Hon'ble NGT for interim compensation."
- That OIL objected to the recommendations made by the Committee. The objections of OIL were rejected and vide order dated 06.08.2020, the Hon'ble NGT, *inter alia*, accepted the recommendations of interim compensation made in the Preliminary Report. The relevant part of the order is extracted hereinbelow :

"18 ..... The recommendation of the Committee on the subject of compensation for three categories of victims are accepted with the clarification that the compensation already paid will be taken into the account and excluded from the interim compensation recommended by the Committee. Compensation to victims of categories (ii) and (iii) will be subject to identification by the District Administration which may be completed preferably within one month. We request the Assam State Legal Services Authority to oversee the process..."

A copy of the order dated 06.08.2020 passed by Hon'ble NGT in OA No. 43/2020/EZ is annexed as ANNEXURE - A.



2. That the Tinsukia district administration subsequent to the Baghjan explosion had set up a makeshift shelter at Guijan High School from around 10.06,2020 for the affected villagers of Natun Rongagora village and paid the affected villagers in two phases:-

Sl.No.	Particulars	No. of Families	Amount paid per Family	Total Amount (in Crores)
1	Immediate relief	630	Rs.25,000/-	Rs. 1.57
2	House rent, food, medical allowances, etc	652	Rs.50,000/-	Rs. 3.26

The aforesaid payment by OIL to the affected villagers of Natun Rongagora village and the fact that they had to leave their home and hearth to escape from the fire, condensate, noise, etc., and stay in makeshift relief camp clearly highlight that they are the victims of the said Baghjan disaster, who are yet to be compensated for their ordeal.

A copy of the list of beneficiaries, i.e., (i) immediate relief and (ii) house rent, food, medical allowances, etc. is annexed herewith as ANNEXURE – B and C.

3. That vide letter dated 02.12.2020 addressed to the D.C, Tinsukia district, OIL acknowledged its liability to pay interim compensation to the affected families of Baghjan disaster.

A copy of above mentioned letter dated 02.12.2020 is annexed as ANNEXURE – D.

4. That vide order dated 19<sup>th</sup> February 2021, the Hon'ble NGT disposed of O.A No. 43/2020(EZ) by observing as follows:

*"It is made clear that the order will not debar any victim of the occurrence who is aggrieved by denial of compensation or inadequacy of compensation to take remedies for such claim before any appropriate forum in accordance with law."*

A copy of the order dated 19.02.2021 passed by Hon'ble NGT in OA No. 43/2020/EZ is annexed as ANNEXURE – E.

5. That the aforesaid O.A No. 43/2020(EZ) was taken in appeal before the Hon'ble Supreme Court of India via Civil Appeal No. 2201 of 2021, and during the pendency of the proceedings in Civil Appeal No. 2201 of 2021, Niranta Gohain being authorized for and on behalf of affected families of Natun Rongagora intervened in the said Civil Appeal via I.A. Nos. 135270/2021 representing the concerns of the residents of the said Natun Rongagora village in regard to compensation.



It is stated that when the Civil Appeal No. 2201 of 2021 was taken up for hearing on 01.09.2022 and a concern was put before Court qua the disbursal of compensation, it was directed and made clear by the Hon'ble Apex Court that -

*"1. We clarify that the pendency of these proceedings shall not come in the way of disbursement of compensation to the affected villager in accordance with law."*

A copy of order dated 01.09.2022 passed by the Hon'ble Apex Court in Civil Appeal No. 2201 of 2021 is annexed herewith as ANNEXURE - F.

- 6. The Civil Appeal No. 2201 of 2021 was disposed of by the Hon'ble Apex Court on 23.01.2023. It is relevant to note that, once again, it was put to this Hon'ble Court about the non-payment of interim compensation. The Hon'ble Court, after hearing all the parties including the instant applicant herein (Intervenors in Civil Appeal No. 2201 of 2021), via the said order remanded the matter back to Hon'ble NGT and passed, inter alia, the following operative directions:

*"11. ....In terms of the earlier directions, it is clarified that the pendency of the proceedings before the NGT shall not affect the disbursement of interim compensation to the affected villagers. The NGT shall, it is clarified, be at liberty to pass further directions in regard to assessing the compensation payable and for its disbursement to all the affected persons.*

*12. We keep open all the rights and contentions of the parties.*

XXXX

XXXX

XXXX

*15. The disbursement of the interim compensation should be effected expeditiously and within a period of two months from the date of this order."*

A copy of order dated 23.01.2023 passed by the Hon'ble Apex Court in Civil Appeal No. 2201 of 2021 is annexed herewith as ANNEXURE - G.

- 7. That in view of the direction passed by the Hon'ble Apex Court, the applicant/s herein had legitimate expectation that the concerned authorities will comply with the direction given in the order dated 23.01.2023 and take necessary steps towards disbursal of interim compensation, within the timeframe given i.e., two months. The applicant/s herein made several representations to the Deputy Commissioner, Tinsukia District for disbursement of interim compensation to the villagers affected by Baghjan disaster, however, to no avail.

A copy of the representation dated 27.01.2023 is annexed as ANNEXURE - H



8. That the concerned authorities did not comply with the direction of the Hon'ble Apex Court in its order dated 23.01.2023 passed in Civil Appeal No. 2201 of 2021 and thereby caused

grave prejudice and detriment to the applicant/s and other affected villagers, who continue to suffer from the irreparable damage caused by the Baghjan disaster.

Therefore Niranta Gohain for and on behalf of the affected families of Natun Rongagora preferred a contempt petition before the Hon'ble Supreme Court of India, being Contempt Petition (C) Diary No. 19943/2023 in Civil Appeal No. 2201/2021, and the Hon'ble Apex Court vide its order dated 14<sup>th</sup> July 2023 directed as follows:

*"2. The grievance of the petitioners arises from an order passed by the National Green Tribunal on 24 July 2020 for the payment of interim compensation.*

*3. On 23 January 2023, this Court directed that the disbursement of interim compensation should be effected expeditiously, within a period of two months. Thereafter, an order has been passed by the NGT on 10 March 2023 against which an independent appeal has been filed before this Court. However, the petitioners claim for the disbursement of the interim compensation would, in the submission, still survive in terms of the order passed by this Court on 23 January 2023.*

*4. Since the grievance is that the interim compensation has still not been disbursed, we grant liberty to the petitioners to move a miscellaneous application before the NGT for espousing their relief. We request the NGT to take up the miscellaneous application expeditiously so as to ensure that due compliance of the order for the disbursement of interim compensation is effected if not already done."*

A copy of the Hon'ble Apex Court order dated 14.07.2023 is annexed as ANNEXURE - I

9. That thereafter in compliance of aforesaid order dated 14.07.2023 passed by the Hon'ble Apex Court, the Niranta Gohain for and on behalf of the affected families of Baghjan preferred M.A No. 19/2023 in O.A No. 43/2020/EZ before the Hon'ble National Green Tribunal and the Hon'ble NGT vide order dated 8<sup>th</sup> August 2023 passed the following order:

*"7. In view of the directions issued by this Tribunal and by order of the Hon'ble Supreme Court of the Hon'ble Supreme Court, disbursement of the interim compensation shall be done by the District Administration after verifying the facts.*

*8. Learned Counsel appearing for the respondents has submitted that the amount as directed by this Tribunal and the Hon'ble Supreme Court has already been deposited to the office of the District Administration. The applicant may approach to the authorities concerned for disbursement of the amount.*

*9. We have gone through the records and found that the amount, required to be paid by the Project Proponents/Respondents, had been deposited to the District Administration, Commissioner concerned and the applicant may approach the District Administration by moving an application for disposal and disbursement of the amount according to the rules."*



A copy of the Hon'ble NGT order dated 08.08.2023 is annexed as ANNEXURE - J

10. That the Tinsukia district administration assured the villagers of Natun Rongagora that assessment will be done according to the NGT (Principal Bench) order dated 06.08.2020 in O.A No. 43/2020(EZ), category list will be prepared and compensation will be disbursed. Accordingly extensive survey was conducted at Natun Rongagora village by various Departments. But despite such surveys and assessments, the Tinsukia district Administration did not disburse any interim compensation as per the aforesaid category list to the affected families of Natun Rongagora village.
11. That the villagers of Natun Rongagora, have suffered extensive loss of their homes, livestock, farmstead, including their livelihood and health, due to the BGN-5 well explosion. Hence, they are also entitled to interim compensation on account of the categories identified by the afore mentioned Hon'ble NGT (Principal Bench) order dated 06/08/2020, as the said order categorically observed that compensation to victims of categories (ii) and (iii) will be subject to identification by the Tinsukia District Administration, which may be completed preferably within one month. But despite such specific directions from the Hon'ble NGT (Principal Bench), the villagers of Natun Rongagora have not been paid any interim compensation.
12. That Natun Rongagora village is situated within a radius of around 1.5 to 4.5 km from the explosion site of the BGN-5 well at Baghjan. The Brahmaputra River flows from the east to west through BGN-5. The wind blows constantly from east to west along the river. For the first 14 days of the BGN-5 explosion, oil (condensate) was flowing about 200 meters up the shaft. Riverside winds blew them away and splashed about 10 km's to the west. These deadly substances destroyed agricultural land and adversely affected the health of humans and other life.
13. That when the blowout caught fire, it created intense noise and heat and flowed westward in the wind. BGN-5 is located in the downstream part of the west of Baghjan village and Natun Rangagara is located in the downstream part of the west of it. Therefore being located downstream from the explosion site, Natun Rongagora village was heavily polluted by the condensate and gases released from the Baghjan explosion and fire that continued to burn for around 6 months.

14. That compensation for victims is a form of remedy to lessen the direct and secondary effects of the disaster. But even though more than three years have elapsed since the Baghjan



disaster, the 'interim compensation' for the damages are .

In view of the above and in pursuant to the aforesaid order dated 14<sup>th</sup> July 2023 passed by the Hon'ble Supreme Court of India in Contempt Petition Diary No. 19943/2023 in Civil Appeal No. 2201/2021 and subsequent order dated 8<sup>th</sup> August 2023 passed by the Hon'ble National Green Tribunal (Principal Bench) in M.A No. 17 and 19/2023 in O.A No. 43/2020/EZ, we would hereby like to request you as follows:

1. To immediately declare the category list in regard to Natun Rongagora village according to the Categories-I, II and III recommended by D.C Tinsukia, and subsequently accepted by the Committee of Experts headed by Justice B.P Katakey and the Hon'ble NGT.
2. To expeditiously disburse the 'Interim Compensation' amount to the affected villagers of Natun Rongagora, within a period of 30 days from today.

Kindly find enclosed the signatories of 661 families as Schedule-I.

Thanking you.

Yours sincerely,

*Niranta Gohain*  
16-8-23

(Niranta Gohain)

Applicant in M.A No. 19/2023  
in O.A No. 43/2020/EZ

**Contact details:**

Village - Natun Rongagora, P.S - Tinsukia,  
District - Tinsukia, PIN - 786147  
Assam

Mobile No.: 9954791573

Email: [gohainniranta@gmail.com](mailto:gohainniranta@gmail.com)





GOVERNMENT OF ASSAM  
OFFICE OF THE DISTRICT COMMISSIONER ::::TINSUKIA DISTRICT  
(Confidential Branch)

NO. TCA.12/2023/345

Dated Tinsukia the 8<sup>th</sup> September, 2023

To  
Sri Niranta Gohain  
Natun Rongagora gaon  
District -Tinsukia, Pin-786147.

Subject :- Claim of Sri Niranta Gohain for disbursement of Interim Compensation to the families of Natun Rangagora village in in the context of Baghjan Gas blowout & Fire incident

Ref : Your letter dtd.16.08.2023

Sir,  
With reference to your application dtd.16.08.2023 to the undersigned, the entire record with respect to disbursement of interim compensation in the context of Baghjan gas blowout & fire incident have been examined and the following conclusion have been drawn:

- (1) In order to fix the modalities for finalization of compensation to the affected families of Baghjan incident, a district level committee was formed vide order No.TRF.3/2017-19/Pt-I/125 dtd.29.06.2020 under the chairmanship of Deputy Commissioner, Tinsukia.
- (2) The Circle Officer, Domdooma, a member of such committee, being the jurisdictional Circle Officer, submitted lists of affected beneficiaries of Baghjan gaon to the Deputy Commissioner, Tinsukia vide three letters NO.(i) DRC.16/2015-16/Pt-I/129 dtd.31.08.2020, (ii) DRC.16/2015-16/Pt-II/9 dtd.23.09.2020 and (iii) DRC.16/2015-16/Pt-I/530 dtd.04.12.2020. Based on these, the interim compensation was paid in several tranches to the affected families. But no such list has been obtained from Circle Officer, Tinsukia under which the Natun Rongagora village falls.

(3) Also a meeting was held under the Chairmanship of Deputy Commissioner, Tinsukia particularly in the context of Natun Rongagora village on 01.10.2020 which was



*(Signature)*

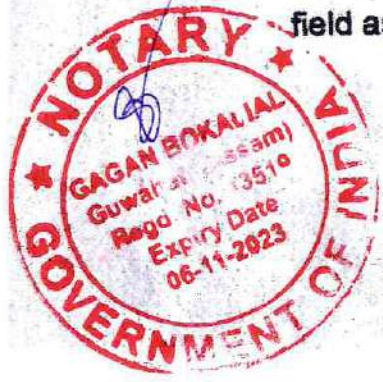
attended by SP, Tinsukia, officials of Oil India Ltd. and inhabitants of the village and in such discussion, only the payment with respect to the interim period was discussed and there was no mention about damaged houses. The rented accommodation and the relief came by the people of Natun Rongagora Gaon due to intense sound from the minutes of such meeting. Not a single point regarding compensation was raised in such meeting. And the BP Katakey Commission felt that interim compensation can be given in three categories, i.e., category-I, category-II and category-III based on the severity of house damages.

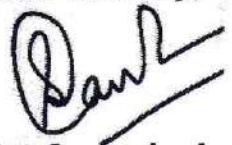
- (4) Since the damage of houses have not been discussed in the same manner, the people of Rongagora village do not feature in any list furnished by the Government in regard, no interim compensation has been disbursed to them.
- (5) As regard to interim compensation, Oil India Ltd had disbursed Rs.103,14,31,310.00 (Rupees One Hundred Three Crores, Fourteen Lakhs, Thirty-one thousand, two hundred and ten) only and 22<sup>nd</sup> July,2021 being the same, Oil India Ltd had deposited fund for payment of interim compensation of Rs.103,14,31,310.00 (Rupees One Hundred Three Crores, Fourteen Lakhs, Thirty-one thousand, two hundred and ten), an amount of Rs.103,13,61,310.00 (Rupees One Hundred Three Crores, Thirteen lakhs, Sixty-one thousand, Three hundred and ten) has been disbursed to the affected beneficiaries as per list submitted. The disbursement was done on 11.05.2022. Since then, no other fund has been disbursed from OIL and no fund has been disbursed in regard to compensation for the same incidents.



attended by SP, Tinsukia, officials of Oil India Ltd. and inhabitants of Natun Rongag village and in such discussion, only the payment with respect to rented accommodation for interim period was discussed and there was no mention about the compensation for damaged houses. The rented accommodation and the relief camp facilities were available by the people of Natun Rongagora Gaon due to intense sound pollution as it appears from the minutes of such meeting. Not a single point regarding the damage of houses was raised in such meeting. And the BP Katakey Commission has categorically stated that interim compensation can be given in three categories, i.e., Category-I, Category-II and category-III based on the severity of house damages.

- (4) Since the damage of houses have not been discussed in the said meeting, as also people of Rongagora village do not feature in any list furnished by Circle Officers in regard, no interim compensation has been disbursed to them.
- (5) As regard to interim compensation, Oil India Ltd had disbursed a total amount of Rs.103,14,31,310.00 (Rupees One Hundred Three Crores, Forteen lakhs, thirty thousand, tow hundred and ten) only and 22<sup>nd</sup> July,2021 being the last date when Oil India Ltd had deposited fund for payment of interim compensation. Out of this Rs.103,14,31,310.00 (Rupees One Hundred Three Crores, Forteen lakhs, thirty thousand, tow hundred and ten), an amount of Rs.103,13,61,310.00 (Rupees Hundred Three Crores, Thirteen lakhs, Sixty-one thousand, Three hundred and ten) has been disbursed to the affected beneficiaries as per list submitted and the disbursement was done on 11.05.2022. Since then, no other fund has been received from OIL and no fund has been disbursed in regard to compensation of Bhaumik incidents.
- (6) Therefore the undersigned is not in a position to disburse the compensation as claimed by your good-self, both from the point of view of damage assessment reports from the field as well as the availability of fund.



Yours faithfully,  
  
 District Commissioner  
 Tinsukia



सत्यमेव जयते

INDIA NON JUDICIAL

Government of Assam

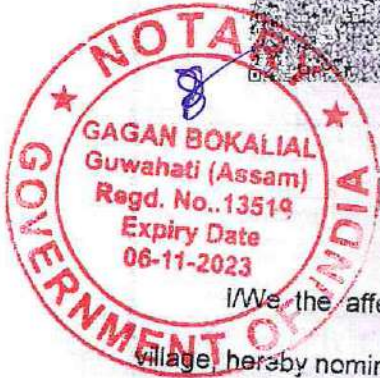
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ANNEXURE-D  
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Certificate No.	: IN-AS34370040755134V
Certificate Issued Date	: 06-Feb-2023 03:52 PM
Account Reference	: NONACC (SV)/ as17009804/ TINSUKIA/ AS-TI
Unique Doc. Reference	: SUBIN-ASAS1700980463536654339285V
Purchased by	: NIRANTA GOHAIN AND OTHERS
Description of Document	: Article 4 Affidavit
Property Description	: AFFIDAVIT
Consideration Price (Rs.)	: 0 (Zero)
First Party	: NIRANTA GOHAIN AND OTHERS
Second Party	: NOT APPLICABLE
Stamp Duty Paid By	: NIRANTA GOHAIN AND OTHERS
Stamp Duty Amount(Rs.)	: 100 (One Hundred only)



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**DEED OF AUTHORIZATION / AFFIDAVIT**

I/We, the affected families of the BGN-5 oil well disaster from Natun Rongagora village, hereby nominate, constitute and appoint –

- 1) Sri. Niranta Gohain, S/o Late Bhugen Gohain,
- 2) Sri Suneswar Boruah, S/o Late Bhadiram Baruah and

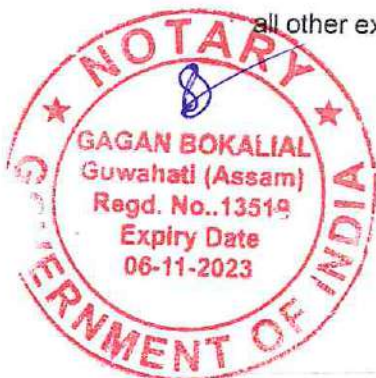
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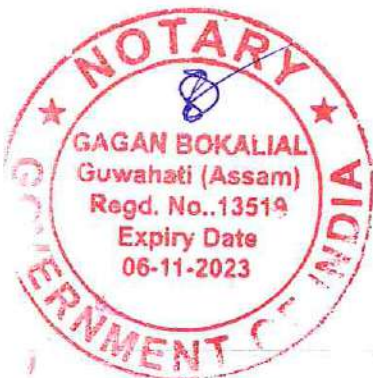
3) Sri Haresh Gogoi, S/o Sri Harinath Gogoi, all resident of village Natun Rongagora, in the district of Tinsukia, Assam, (being intervenors in Civil Appeal No. 2201/2021 Bonani Kakkar vs. Oil India Ltd. & Ors. before the Hon'ble Supreme Court of India) as my/our authorized representatives to do the following acts, things or deed as given below –

1. To file original application, interlocutory application, miscellaneous application and/or any other applications, petitions or cases before the National Green Tribunal (NGT) and/or any other courts, pertaining to the matter of BGN-5 oil well disaster and grant of compensation (interim/ final compensation) and/or any 'other relief' towards this end.
2. To engage or appoint any advocate, lawyer, solicitor or counsel to conduct the cases in the National Green Tribunal (NGT) and/or any other court.
3. To sign and verify all plaints, pleadings, applications, petitions or documents before the court and to deposit, withdraw and receive documents from the court or from the defendants.
4. To do generally all other acts and things for the conduct of aforementioned cases as I/We could have done the same if I/We were personally present.
5. I/We further undertake to jointly bear/pay all expenses towards the aforementioned case(s), including Advocates/ Lawyers fee, travel and accommodation expenses, and all other expenses incidental thereto.

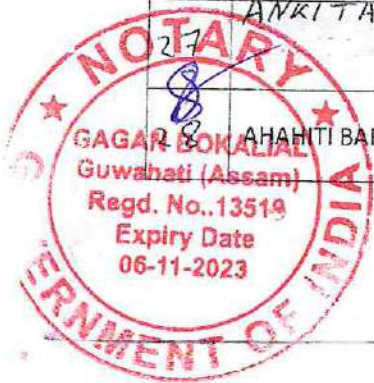




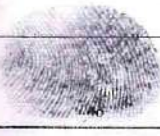
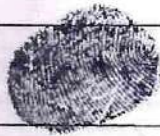
Signed and delivered by the within named:

Sl. No	Name	Address	Signatures
1	KATIRAM BORGOHAIN	Milanpur(Natun Rangagora)	Sri-Katiram Borgohain
2	JYOTI BARUAH	Natun Rangagora	Jyoti Baruah
3	SATYABRAT SENAPATI	Natun Rangagora	Satyabrat Senapati
4	JAYANTA HAZARIKA	Natun Rangagora	Jayanta Hazarika
5	PROMUD NEOG	Natun Rangagora	Sri Promod Neog
6	RAJAT BARUAH	Natun Rangagora	Rajat Baruah
7	KHIRUD GOGOI	Natun Rangagora	Khirus Gogoi
8	BHARAT GOGOI	Natun Rangagora	Bharat Gogoi
9	PALLABI BORGOHAIN	Natun Rangagora	Pallabi Borgohain
10	DIPA NEOG	Natun Rangagora	সীমলী দীপা নেওগ



11	KUHIMA BARUAH	Natun Rangagora	কুহিমা বরুয়া
12	BHANUMATI GOHAIN	Natun Rangagora	Bhānumati Gohain
13	RITUPORN BORGHAIN	Natun Rangagora	Ritupon Borgohain
14	PRASANTA BARUAH	Natun Rangagora	Prasanta Baruah
15	DIP BORGHAIN	Natun Rangagora	DIP Borgohain
16	JAYANTA GOGOI	Milanpur (Natun Rangagora)	Jayanta Gogoi
17	SANJAY BARUAH	Natun Rangagora	Sanjay Baruah
18	MINAKHI SAIKIA	Natun Rangagora	Minakhi Saikia
19	SANJIB KARMAKAR	Milanpur (Natun Rangagora)	Sanjib Karmakar
20	DIPAK NEOG	Natun Rangagora	Deepak Neog
21	RITAMONI BORAH PATHAK	Natun Rangagora	Ritamoni Borah Pathak
22	ABONI HATIBORUAH	Natun Rangagora	Aboni Hati Boruah
23	UDRAJIT GOHAIN	Natun Rangagora	উদ্রজিত গহৈন
24	AGHUNI HAZARIKA	(Natun Rangagora)	
25	AJAY GOGOI	Milanpur (Natun Rangagora)	Ajay Gogoi
26	AGEN BORGHAIN	Milanpur (Natun Rangagora)	Agen Borgohain
27	ANKITA SAIKIA BORAH	Natun Rangagora	Ankita Saikia Borah
28	AHAHITI BARUAH	Natun Rangagora	



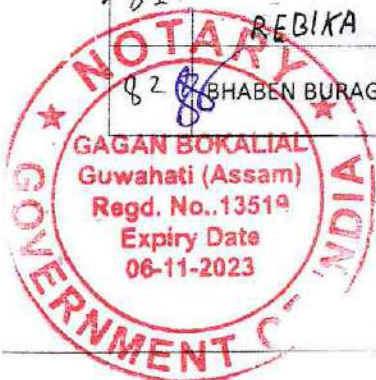
29	AJIT PRAJA	Natun Rangagora	
30	AKANI BARUAH	Natun Rangagora	অক্ষয় বরুয়া
31	AKASH NAG	Natun Rangagora	Akash Nag
32	ALI HAJARIKA	Natun Rangagora	আলি হাজারিকা
33	AKHIM BORGHAIN	Milanpur (Natun Rangagora)	Sn Akhim Borghain
34	AKON GOGOI	Milanpur (Natun Rangagora)	স্বঃ অক্ষয় গগৈ
35	AMBIKA DEKA	Natun Rangagora	অম্বিকা দেকা
36	AKON SONOWAL	Balijan (Natun Rogagora)	অক্ষয় সোনোয়াল
37	AMBIKA SONOWAL	Natun Rangagora	অম্বিকা সোনোয়াল
38	AMIT MOHAN	Milanpur (Natun Rangagora)	শ্রী অমৃত মন
39	AMI PRAJA	Natun Rangagora	
40	AMIT GOHAIN	Natun Rangagora	অমৃত গোহাঞি
41	AMOL GOHAIN	Natun Rangagora	
42	ANAMIKA CHETIA	Natun Rangagora	অনামিকা চেতিয়া
43	ANAMIKA SONOWAL	Natun Rangagora	
44	ANIL GHARFALIA	Milanpur (Natun Rangagora)	অনিল গর্ফালিয়া
45	ANITA PHUKAN	Milanpur (Natun Rangagora)	
46	ANANDA NAG	Natun Rangagora	Ananda Nag



47	ANIL NAG	Natun Rangagora	অনিলা নাগ
48	ANILA BORGHAIN	Natun Rangagora	অনিলা বৰ গৌৰাই
49	ANITA NAG	Natun Rangagora	
50	ANIKHA PHUKAN	Milanpur (Natun Rangagora)	Anikha Phukan
51	ANITA DUTTA	Natun Rangagora	অনিটা দত্ত
52	ANJALI PRAJA	Natun Rangagora	অঞ্জলী প্ৰজা
53	ANJALI NAG	Natun Rangagora	
54	ANJALI SONOWAL DEKA	Balijan (Natun Rogagora)	Anjali Sonowal Deka
55	ANJANA DUTTA	Natun Rangagora	অঞ্জনা দত্ত
56	ANJANA MAHATU	Milanpur (Natun Rangagora)	অঞ্জনা মাহাতু
57	ANJUMA SAIKIA GOHAIN	Natun Rangagora	Anjuma Saikia Gohain
58	ANTI MAHATU	Milanpur (Natun Rangagora)	
59	ANUPOM GOGOI	Natun Rangagora	Anupam Gogoi
60	ANUP BARUAH	Natun Rangagora	Anup Baruah
61	ARUNA HAJARIKA	Natun Rangagora	অৰুণা হাজাৰিকা
62	ARINDOM GOGOI	Milanpur (Natun Rangagora)	স্ৰী Arindom Gogoi
63	APURBA GOHAIN	Natun Rangagora	
64	ARPIT BORGHAIN	Natun Rangagora	



65	ARUP GOHAIN	Natun Rangagora	Arup Gohain
66	ARUP GOGOI	Natun Rangagora	Arup Gogoi
67	ARUP MEDHI	Natun Rangagora	Arup Medhi.
68	ARUP BORGHAIN	Milanpur (Natun Rangagora)	Arup Borgohain
69	ASTOMI MAHATO	Natun Rangagora	
70	ASHA NAGBANSHI	Milanpur (Natun Rangagora)	
71	ASHA CHAURA	Milanpur (Natun Rangagora)	
72	ASHOK KURMI	Balijan (Natun Rogagora)	
73	ASSAM NAGBONCHISAM	Milanpur (Natun Rangagora)	
74	ASHOK NAG	Natun Rangagora	শ্রী অশোক নাগ
75	BABITA PRAJA	Natun Rangagora	
76	BABITA NAG	Natun Rangagora	
77	ATUL BARUAH	Natun Rangagora	শ্রী অতুল বরুয়া
78	BABU KURMI	Natun Rangagora	শ্রী বাবু কুর্মি
79	BABUL BARUAH	Natun Rangagora	শ্রী বাবুল বরুয়া
80	BABUL BARUAH	Natun Rangagora	Sri: Babul Baruah
81	REBIKA KHARIA	(Natun Rogagora)	REBIKA KHARIA
82	BHABEN BURAGOHAIN	Natun Rangagora	শ্রী ভবেন বুয় গোগোইন



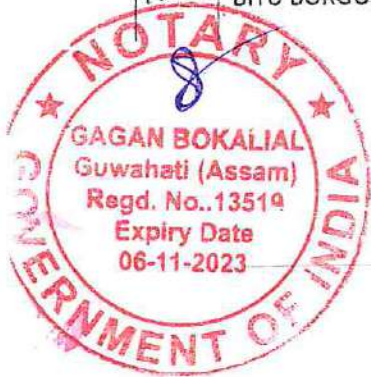
83	BONDITA GHARFALIA	Milanpur (Natun Rangagora)	বন্দিতা গর্ভফালিয়া
84	BEAUTI GAYARI	Natun Rangagora	Beauty Goyard
85	BADAN DUTTA	Natun Rangagora	বদান দুতা
86	BHABESH BORGOHAIN	Natun Rangagora	Bhabesh Borgohain
87	BASANTA GHARPHALIA	Natun Rangagora	Basanta Gharphalia
88	BHADRA HATIBARUAH	Milanpur (Natun Rangagora)	Bhadra Hatibaruah
89	BHAGYABOTI KHATOWAL	Natun Rangagora	ভাগ্যভোতি খাতোয়াল
90	BHAGYASHREE GOGOI	Natun Rangagora	Bhagyashree Gogoi
91	BHANOMATI SAIKIA	Natun Rangagora	ভানোমতি সাইকিয়া
92	BHARAT GOHAIN	Natun Rangagora	ভারত গৌহাই
93	BHARATI KHATUWAL	Natun Rangagora	
94	BHUGESWAR GOGOI	Milanpur (Natun Rangagora)	ভূগেশ্বর গগৈ
95	BHARATI SONOWAL	Natun Rangagora	Bharati Sonowal
96	BHUGRAM GOGOI	Milanpur (Natun Rangagora)	ভূগ্রাম গগৈ
97	BIKASH PRAJA	(Natun Rangagora)	Bikash praja
98	BICHITRA GOHAIN	Natun Rangagora	বিচিত্রা গৌহাই
99	BHUPEN CHETIA	Milanpur (Natun Rangagora)	Bhupen Chetia
100	BHIMACHERI MAHATU	Natun Rangagora	



101	BIJAY PHUKAN	Milanpur (Natun Rangagora)	Bijay Phukan
102	BIJAY GOHAIN	Natun Rangagora	Sri Bijay Gohain
103	BIJAY GOHAIN	Milanpur (Natun Rangagora)	Bijoy Gohain
104	BIBHA SAIKIA	Natun Rangagora	Bibha Saikia
105	BIJUT GOGOI	Natun Rangagora	Bijut Gogoi
106	BIJIT GOGOI	Natun Rangagora	Bijit Gogoi
107	BIDYABATI GOGOI	Natun Rangagora	Bidyabati Gogoi
108	BIJULIMANI KURMI	Balijan (Natun Rogagora)	
109	BIJU HATIBORUAH	Milanpur (Natun Rangagora)	Biju Hatiboruah
110	BIKASH BORGOHAIN	Natun Rangagora	Bikash Borgohain
111	BIJUT GOHAIN	Natun Rangagora	Bijut Gohain
112	BIKUL GHARFALIA	Milanpur (Natun Rangagora)	Bikul Gharfalia
113	BIJUMONI HAZARIKA	Natun Rangagora	Bijumoni Hazarika
114	BILA PROJA	Natun Rangagora	
115	BIMLA SONOWAL	Balijan (Natun Rogagora)	
116	BINA BARUAH	Natun Rangagora	Bina Baruah
117	BINA PHUKAN	Natun Rangagora	
118	BINANDRA CHETIA	Milanpur (Natun Rangagora)	Binandrea Chetia



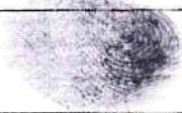





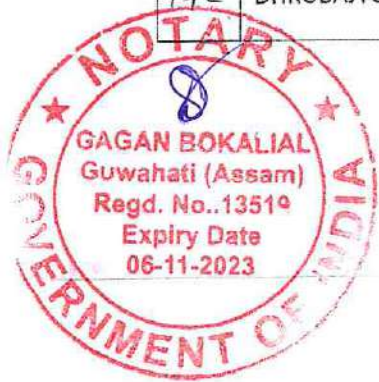
119	BINOD SONOWAL	Natun Rangagora	Binod Sonowal
120	BIPIN MAZUMDAR	Balijan (Natun Rogagora)	অপিন মজুমদার
121	BIPIN SAIKIA	Natun Rangagora	Bipin Saikia
122	BIPOB DEKA	Milanpur (Natun Rangagora)	Biplob Deka
123	BIPLOV GOGOI	Milanpur (Natun Rangagora)	Biplav Gogoi
124	BIPUL SENAPATI	Natun Rangagora	Bipul Senapati
125	BINA CHETIA BARUAH	Natun Rangagora	বিনা চতিয়া বৰুয়া
126	BIRASHMONI PROJA	Natun Rangagora	বিশমেনী প্রজা
127	BIRSHI KHARIA	Natun Rangagora	
128	BISHA GOGOI	Natun Rangagora	বিশা গগৈ
129	BISHNU DIHINGIYA	Natun Rangagora	বিশ্বু দিহিংগীয়া
130	BISWAJIT SONOWAL	Natun Rangagora	Biswajit Sonowal
131	BITU GOGOI	Milanpur (Natun Rangagora)	বিটু গগৈ
132	BISWAJIT SENAPATI	Natun Rangagora	Sh. Biswajit Senapati
133	BITUPAN BURAGOHAİN	Natun Rangagora	Bitupan Buragohain
134	BOBY HAZARIKA	Natun Rangagora	Boby Hazarika
135	BOBITA BIREN	Milanpur (Natun Rangagora)	
136	BITU BORGHOAIN	Natun Rangagora	বিটু বৰগোহাই



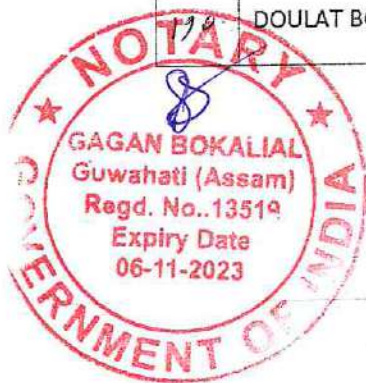
137	BODUKI GOGOI	Natun Rangagora	
138	BALURAM DUTTA	Natun Rangagora	শ্রী বালুরাম দত্ত
139	BOLIMA GOGOI	Milanpur (Natun Rangagora)	বলীমা গগৈ গা
140	BONDHAN PRAJA	Natun Rangagora	Bondhan Praja
141	BOGASWAR BORGHAIN	Natun Rangagora	
142	BORNALI BARUAH	Natun Rangagora	চৰ্ণালী বৰুৱা
143	BORNALI DUTTA	Natun Rangagora	শ্রীমতী চৰ্ণালী দত্ত
144	BROJEN BORGHAIN	Natun Rangagora	Brojen Bor Borghain
145	BRAJEN GHARFALIA	Milanpur (Natun Rangagora)	শ্রী ব্রজেন গৰ্ণালীয়া
146	BULBOLI GOGOI	Natun Rangagora	বুলবুলী গগৈ গা
147	BROJEN BORUA	Natun Rangagora	Brojen Borua
148	BUBUL KHANIKAR	Milanpur (Natun Rangagora)	শ্রী বুলবুল খানিকৰ
149	BUDHIN KACHARI	Natun Rangagora	Budhin Kachari
150	BULEN GOGOI	Milanpur (Natun Rangagora)	বুলেন গগৈ গা
151	BULBULI SONOWAL	Natun Rangagora	বুলবুলি সোনোৱাল
152	BYANJAN GOHAIN	Natun Rangagora	ব্যান্জান গোহাই
153	BUPAI SAIKIA	Natun Rangagora	শ্রী বোপাই সাইকীয়া
154	CHANDAN DUTTA	Milanpur (Natun Rangagora)	Chandan Dutta



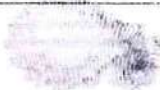







155	CHANDAN DUTTA	Natun Rangagora	Chandan Dutta.
156	SONPA GOHAIN	Natun Rangagora	সোণপা গোহাঁই
157	CHINU DUTTA	Natun Rangagora	
158	CHUKURU MAHATO	Milanpur (Natun Rangagora)	
159	CHOTOLAL PRAJA	Milanpur (Natun Rangagora)	
160	CHITRALEKHA BARUAH	Natun Rangagora	চিত্ৰলেখা বৰুৱা
161	DEBALOTA KALITA	Natun Rangagora	
162	CHUNITA GANJU	Natun Rangagora	চুনিতা গঞ্জু
163	DEBESWAR KHANIKAR	Milanpur (Natun Rangagora)	
164	CHUTU KURMI	Balijan (Natun Rogagora)	চুতু কুৰ্মি
165	DEEP SAIKIA	Natun Rangagora	Deep Saikia
166	DEEPA PHUKAN	Natun Rangagora	DeePa Phukan
167	DEHESWARI BARUAH	Natun Rangagora	
168	DHANADA BARUAH	Natun Rangagora	Dhanada Baruah
169	DHANTI BURAGOHAIN	Natun Rangagora	ধান্তি বুৰা গোহাঁই
170	DHIREN BARUAH	Natun Rangagora	ধিৰেন বৰুৱা
171	DIGEN BORA	Natun Rangagora	Digen Bora
172	DHRUBAJYOTI GOHAIN	Natun Rangagora	Dhruka jyoti Gohain



173	DIMPLE BORGHAIN	Natun Rangagora	সিম্পল বর্গহাইন
174	DILIP GOHAIN	Natun Rangagora	
175	DILIP DEKA	Natun Rangagora	দ্বীপ দেকা
176	DIPA CHETIA	Milanpur (Natun Rangagora)	দীপা চতিয়া
177	DIPAK DUTTA	Natun Rangagora	শ্রী দীপক দুতা
178	DIPAK KHARIA	Natun Rangagora	দীপক খাৰীয়া
179	DIPALI DEKA	Balijan (Natun Rogagora)	
180	DIPAMONI KHANIKAR	Milanpur (Natun Rangagora)	শ্রীমতী দীপামণী - খনিকৰ
181	DIPALI HAZARIKA	Natun Rangagora	দীপালী হাজৰিকা
182	DIPANJALI GHARFALIA	Milanpur (Natun Rangagora)	দীপঞ্জলী গাৰফালীয়া
183	DIPANJOLI NEOG SONOWAL	Natun Rangagora	Dipanjoli Neog Sonowal
184	DOMBORUDHAR BORUAH	Natun Rangagora	Domborudhar Boruah
185	DIPANKAR GOGOI	Natun Rangagora	Dipankar Gogoi
186	DOMOYANTI NEOG	Natun Rangagora	দময়ন্তী নেওগ
187	RINKUMONI GOGOI	MILANPUR	বিনয় কুমলী গগৈ
188	DIPON BARUAH	Natun Rangagora	Dipon Baruah
189	DONDIDHAR MORAN	Natun Rangagora	
190	DOULAT BORUAH	Natun Rangagora	দৌলত বৰুয়া



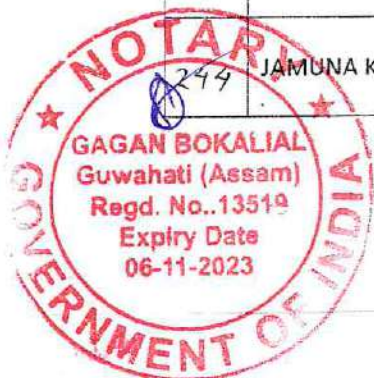
191	DIPTI BORUAH	Natun Rangagora	
192	DULUMONI BORUAH	Milanpur (Natun Rangagora)	দুলুমনি বৰুৱা
193	DULARI MURA	Balijan (Natun Rogagora)	
194	DURGA SONOWAL	Balijan (Natun Rogagora)	Durga Sonowal
195	DURGA NAGABANGSHI	Milanpur (Natun Rangagora)	
196	DURNA BORUAH	Natun Rangagora	Durna Baruah
197	DURGESWAR BARUAH	Natun Rangagora	Durgeswar Baruah
198	FULMOTI GORH	Natun Rangagora	
199	FULESWARI GOHAIN	Natun Rangagora	
200	FULMONI PRAJA	Natun Rangagora	
201	FATIK BORA	Natun Rangagora	ফাতিহা বৰুৱা
202	GITA NAGBONSHI	Milanpur (Natun Rangagora)	
203	GHANEN BORUAH	Milanpur (Natun Rangagora)	ঘনেন বৰুৱা
204	GANITA GOHAIN KHANIKAR	Milanpur (Natun Rangagora)	গনিতা গানিকৰ
205	GHUNU BARUAH	Natun Rangagora	ঘনু বৰুৱা
206	GIRIN DUTTA	Natun Rangagora	Girin Dutta
207	GIRISH GOGOI	Milanpur (Natun Rangagora)	গিৰিশ গগৈ
208	GITA NAG	Natun Rangagora	



209	GITI PRAJA	Natun Rangagora	
210	GITA PRAJA	Natun Rangagora	GITA PRAJA
211	GOUTOM GUWALA	Milanpur (Natun Rangagora)	
212	GOKUL BORAH	Natun Rangagora	Gokul Borah
213	GULAP GOGOI	Natun Rangagora	গুলাপ গগৈ
214	GOKUL GOGOI	Milanpur (Natun Rangagora)	Gokul Gogoi
215	GUNADA GOHAIN	Natun Rangagora	গুনাড়া গগৈ
216	GOLAPI NEOG	Natun Rangagora	গোলাপী নেওগ
217	GULAPI SENAPATI	Natun Rangagora	
218	GULESWAR BORPATRA	Natun Rangagora	
219	GUNABATI KHATOWAL	Natun Rangagora	গুনাবতী খাতওয়াল
220	GUNIN DUTTA	Natun Rangagora	Sri Gunik Dutta
221	HARINATH GOGOI	Milanpur (Natun Rangagora)	Harinath Gogoi
222	HEMANTA SAIKIA	Natun Rangagora	Hemanta Saikia
223	HARUKANTA BARUAH	Natun Rangagora	হাৰুকান্ত বৰুৱা
224	GITA PRAJA	Natun Rangagora	
225	HIMONTI HATIBORUAH	Milanpur (Natun Rangagora)	
226	HEMA BORAH	Natun Rangagora	হেমা বড়া



227	HIRABOTI GOGOI	Milanpur (Natun Rangagora)	হীৰা বৰ্তী গগৈ
228	HIRAKJYOTI HATIBORUAH	Natun Rangagora	হীৰাক জ্যোতি হাতিবৰুৱা
229	HIREN PATOR	Milanpur (Natun Rangagora)	হিৰেন পতাৰ
230	HITESWAR MORAN	Natun Rangagora	Hiteswar Moran
231	HITESHERI BARUAH	Natun Rangagora	
232	HITESWAR GOGOI	Natun Rangagora	Hiteswar Gogoi
233	HORUKON GOGOI	Milanpur (Natun Rangagora)	Horukon Gogoi
234	HORESH DUTTA	Natun Rangagora	Horesh Dutta
235	HUNMAI PATAR	Milanpur (Natun Rangagora)	হুনমাই পতাৰ
236	HUNMONI BORAH	Natun Rangagora	হুনমনি বড়া
237	HUNTI BORUAH	Natun Rangagora	
238	INDIRA GOGOI	Natun Rangagora	ইন্দিৰা গগৈ
239	INDUMONI GOGOI	Milanpur (Natun Rangagora)	শ্ৰী ইন্দিৰা ইন্দিৰামণি গগৈ
240	INDESHWAR DUTTA	Natun Rangagora	ইন্দেশ্বৰ দত্ত
241	JADU PATOR	Milanpur (Natun Rangagora)	Jadu Patar
242	INDRAJIT MOHAN	Milanpur (Natun Rangagora)	Indrajit Mohan
243	JOMUNA DUTTA	Natun Rangagora	শ্ৰীমতী জমুনা দত্ত
244	JAMUNA KURMI	Balijan (Natun Rogagora)	শ্ৰীমতী জমুনা কুৰ্মী



245	JANIRAM SENAPATI	Natun Rangagora	শ্রী জনীৰাম সেনাপতি
246	JANKI KURMI	Balijan (Natun Rogagora)	শ্রীমতী জংকী কুৰ্মী
247	JANMONI HAZARIKA	Milanpur (Natun Rangagora)	Miss-Janmoni Hazaruka
248	JAYMOTI DUTTA	Natun Rangagora	শ্রীমতী জয়মতী দত্ত।
249	JAYRAM PRAJA	Natun Rangagora	JAYRAM PRAJA
250	JANMONI DUTTA	Natun Rangagora	শ্রীমতী জানমনি দত্ত
251	JAYANTA BARUAH	Natun Rangagora	Jayanta Baruah
252	JIBON BORGHAIN	Milanpur (Natun Rangagora)	জীবন বৰগোহাঁই
253	JITEN PHUKAN	Milanpur (Natun Rangagora)	জিতেন ফুকন
254	JIBESWOR BORPATRA	Natun Rangagora	জীবেস্বৰ বৰপাত্ৰ
255	JIMONI PHUKAN	Milanpur (Natun Rangagora)	জীমনি ফুকন
256	JINTIMONI HAZARIKA	Natun Rangagora	Jinti moni Hazaruka
257	JINARAM PRAZA	Natun Rangagora	Jinaram Praza
258	JISKEL NEOG	Balijan (Natun Rangagora)	Jiskel Neog
259	JITU GOGOI	Milanpur (Natun Rangagora)	Jitu Gogoi
260	ANUPAM HAZARIKA	Natun Rangagora	অনুপম হাজৰিকা
261	JITU BORGHAIN	Natun Rangagora	Jitu Borgohain
262	JITU DUTTA	Natun Rangagora	Jitu Dutta



263	JOBA NAGBONCHI	Milanpur (Natun Rangagora)	
264	JITUMONI GOGOI	Milanpur (Natun Rangagora)	জিতুমনি গগৈ
265	JONALI NEOG GOR	Natun Rangagora	Junali Neog gor
266	JONEY SAIKIA	Natun Rangagora	Joney Saikia
267	JORNA HAZARIKA	Natun Rangagora	Jorna Hazarika
268	JOYA CHETIA	Natun Rangagora	জয়া চেতিয়া
269	JAYA GOHAIN BORUAH	Natun Rangagora	Jaya Gohain Boruah.
270	JAYDEV HATIBORUA	Milanpur (Natun Rangagora)	জয়দেব হাতি বৰুৱা
271	JOYAMONI GOGOI	Milanpur (Natun Rangagora)	Joyamoni Gogoi
272	JUGUT GOGOI	Natun Rangagora	জুগুট গগৈ
273	JOYMOTI GOHAIN	Natun Rangagora	
274	JUNAKI GHARFALIA	Milanpur (Natun Rangagora)	
275	JUNALI HAZARIKA	Natun Rangagora	জুনালী হাৰাৰিকা
276	SANJAY NAGBONSHI	MILANPUR	সঞ্জয় নাগবংশী
277	JYOTISH HATIBORUAH	Milanpur (Natun Rangagora)	Sri - Jyotish Hatiborua
278	JUNMANI PHUKAN	Milanpur (Natun Rangagora)	Jun mani phukan
279	KABITA GOGOI	Natun Rangagora	Kabita Gogoi
280	ANJUN GOGOI	Natun Rangagora	অঞ্জু গগৈ



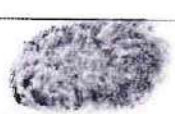



281	JYOTISH GOGOI	Natun Rangagora	শ্রী জ্যোতিষ গগৈ
282	KAMAL BORA	Natun Rangagora	শ্রী কামল বৰা
283	KAKUL GOGOI	Natun Rangagora	Kakul Gogoi
284	KALPANA PRAJA	Natun Rangagora	কালপনা প্রজা
285	KALI KHATOWAL	Natun Rangagora	Kali Khatowal.
286	KALYANI GOGOI	Natun Rangagora	কাল্যানী গগৈ
287	KANAKLOTA HATIBORUAH	Milanpur (Natun Rangagora)	
288	KANTA BORPATRA	Natun Rangagora	Kanta Borpatra
289	KARABI PATOR	Milanpur (Natun Rangagora)	কৰাবী পাতৰ
290	KAROBI GOGOI	Natun Rangagora	কৰাবী গগৈ
291	KARUNA KANTA MEDHI	Balijan (Natun Rangagora)	শ্রী কৰুণা কান্ত মেধী
292	RONJUMONE SENPATI	Natun Rangagora	ৰঞ্জুমাণী সেনপতি
293	KHESERA NAGBONCI	Milanpur (Natun Rangagora)	
294	KHIYADA BORGOHAIN	Natun Rangagora	- খীয়াড়া বৰগোহাঈ
295	KHIRADA BURAGOHAIN	Natun Rangagora	
296	KESHOB GOHAIN	Natun Rangagora	শ্রী Keshob Gohain.
297	KISHORE GOGOI	Natun Rangagora	Kishore Gogoi.
298	KHONIN BARUAH	Natun Rangagora	Khamin Baruah




299	KIRAN GOHAIN	Natun Rangagora	Kiran Gohain
300	KHUDUPI GOHAIN	Natun Rangagora	শ্রী শ্রী গুপ্তা গৌহান
301	KRISHNA KANTA BORAH	Natun Rangagora	- Krishna Borah
302	KRISHNA KHARIA	Balijan (Natun Rogagora)	শ্রী ক্রীষ্ণা খারিয়া
303	KAMALHATIBARUA H	Natun Rangagora MILANPUR	Kamalhati Barua
304	KRISHNAMANI KURMI	Natun Rangagora	
305	KUMALI GOGOI	Natun Rangagora	
306	KUNDAN KHARIYA	Balijan (Natun Rogagora)	
307	KUNTI BORGHAIN	Natun Rangagora	
308	LAKHI GOGOI	Milanpur (Natun Rangagora)	Sas Laksi Gogoi
309	LABANYA GOHAIN	Natun Rangagora	
310	LABHITA PHUKAN	Milanpur (Natun Rangagora)	শ্রীমতী লভিতা ফুকন
311	LABANYA BORUAH	Natun Rangagora	
312	LAKSHAN DOWARAH	Milanpur (Natun Rangagora)	
313	LAKSHMI KHATOWAL	Natun Rangagora	লক্ষ্মী খাতোৱাল
314	LAKYAHIRA SONOWAL	Natun Rangagora	লক্ষ্মীকা সোনোৱাল
315	LAVOT GOGOI	Natun Rangagora	Lavot Gogoi
	LILABAM GOGOI	Milanpur (Natun Rangagora)	Stai Lila Ram Gogoi




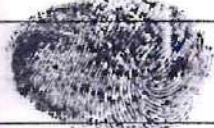


317	LALIT GOGOI	Natun Rangagora	Lalit Gogoi
318	LALITA SENAPATI	Natun Rangagora	
319	LILABATI GOHAIN	Natun Rangagora	লীলাবতী গোস্বামী
320	LUKNATH BORA	Natun Rangagora	hoke math Bora.
321	LILI BORUAH	Natun Rangagora	লীলা বরুয়া
322	LUDUP BORUAH	Natun Rangagora	Ludup Baruah
323	LOLITAPATOR	Milanpur (Natun Rangagora)	
324	MADHABI BORUAH	Natun Rangagora	মাদ্যবী বরুয়া
325	LUKUMONI DUWARAH DUTTA	Natun Rangagora	Lukumoni duarah dulla
326	MAHENDRA MEDHI	Natun Rangagora	শ্রী মহেন্দ্র মেধি
327	MAHENDRA PATOR	Natun Rangagora	শ্রী মহেন্দ্র পাতর
328	MADHURI GOHAIN	Natun Rangagora	মাদ্যুরী গোস্বামী
329	MANISHA GUWALA	Milanpur (Natun Rangagora)	
330	MAKHONI GOGOI	Milanpur (Natun Rangagora)	মাক্ষনী গোগী
331	MAKONI BORUAH	Natun Rangagora	
332	MAINI CHETIA	Milanpur (Natun Rangagora)	1 Maini Chetia
333	MAINU GOGOI	Natun Rangagora	মাইনু গোগী
334	MANJU DUTTA	Natun Rangagora	শ্রী মঞ্জু দত্ত



335	MONALISHA BORGHAIN	Natun Rangagora	Monalisha Borgohain
336	MONURANJAN SAIKIA	Natun Rangagora	Monu Ranjan Saikia
337	MANOJ PATRA	Natun Rangagora	Manoj Patra
338	MANU SENAPATI	Natun Rangagora	মানু সেনপতি
339	MRIDULA GOGOI	Milanpur (Natun Rangagora)	শ্রী মর্দুলা গগৈ
340	MAHANANDA BORGHAIN	Natun Rangagora	শ্রী মহানন্দা বর্গহাই
341	MANUMATI CHETIA	Natun Rangagora	মানুমতি চেতিয়া
342	MIHINDRA GOGOI	Milanpur (Natun Rangagora)	শ্রীমিহিন্দ্রা গগৈ
343	MIDULA PHUKAN NAG	Milanpur (Natun Rangagora)	Midula phukan Nag
344	MILA NAGABANGSHI	Milanpur (Natun Rangagora)	মিলা নাগবংশী
345	MINA HAZARIKA	Natun Rangagora	মিনা হাজাৰিকা
346	MINOTI PHUKAN	Milanpur (Natun Rangagora)	মিনতি ফুকান
347	MINOTI GOGOI	Natun Rangagora	মিনতি গগৈ
348	MINADHAR CHETIA	Natun Rangagora	Minadharchetia
349	MINESWARI GOGOI	Milanpur (Natun Rangagora)	
350	MOUSUMI GOGOI	Milanpur (Natun Rangagora)	শ্রীমুসুমী গগৈ
351	MINTU SONOWAL	Natun Rangagora	Mintu sonowal
352	MILESWAR GOGOI	Milanpur (Natun Rangagora)	মিলেশ্বৰ গগৈ




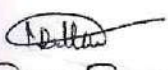


353	MINUMAI GOHAIN	Natun Rangagora	
354	MISTEL NEOG	Balijan (Natun Rangagora)	Mistel Neog -
355	MITALI GOGOI	Natun Rangagora	Mitali Gogoi
356	MITALI GOHAIN	Natun Rangagora	Mitali Gohain
357	MOHAN DUTTA	Natun Rangagora	মহান দুতা
359	MONA GOGOI	Milanpur (Natun Rangagora)	মোনা গগৈ
357	ANANDA BARUAH	Natun Rangagora	আনন্দ বৰুৱা
360	MONOJ DUTTA	Natun Rangagora	মোজ দুতা
361	MOUSOMI GOGOI	Milanpur (Natun Rangagora)	মৌসুমী গগৈ
362	MONTU GOGOI	Natun Rangagora	মন্তু গগৈ
363	MRIDULA CHETIA	Natun Rangagora	মৃদুলা চেতিয়া
364	MRIDUL HAZARIKA	Natun Rangagora	মৃদুল হাজৰিকা
365	MUKUT BARUAH	Natun Rangagora	Mukut Baruah
366	MULAPI GOGOI	Milanpur (Natun Rangagora)	
367	MULEN GOHAIN	Natun Rangagora	Mulen Gohain
368	MULAPI GOHAIN	Natun Rangagora	
369	NANDESWAR PHUKAN	Milanpur (Natun Rangagora)	
370	NARENDRA PATOR	Natun Rangagora	Nri Nandou Pator



371	MALAKA BORGHAIN	Natun Rangagora	
372	NABIN PRAJA	Milanpur (Natun Rangagora)	
373	MUNU KHARIA	Balijan (Natun Rogagora)	
374	NAGEN SONOWAL	Balijan (Natun Rogagora)	শ্রীমতী নগেন সোণওয়াল
375	NAKUL GOHAIN	Natun Rangagora	নকুল গগৈ
376	NAMITA BORUAH	Natun Rangagora	Nomita Boruah
377	NAMITA HAZARIKA	Natun Rangagora	শ্রীমতী নমিতা হাজৰিকা
378	NAMITA PHUKAN	Natun Rangagora	নমিতা ফুকন
379	NANDESWARI BORGHAIN	Milanpur (Natun Rangagora)	
380	NAREN CHETIA	Milanpur (Natun Rangagora)	শ্রী নৰেন চেতিয়া
381	NARESH KURMI	Balijan (Natun Rogagora)	নৰেশ কুৰ্মী
382	NAYANTI BORA	Natun Rangagora	শ্রীমতী নয়ন্তী বড়া
383	NAYANJYOTI GOGOI	Natun Rangagora	Nayanjyoti Gogoi
384	NAYANTI BARUAH	Natun Rangagora	নয়ন্তী বৰুৱা
385	NEPET GOGOI	Milanpur (Natun Rangagora)	
386	NIHARANJAN BORPATRA	Natun Rangagora	Niharayan Borpatra
387	NIJORA KHANIKAR	Milanpur (Natun Rangagora)	শ্রীমতী নিজৰাখানিকৰ
388	NIROBHA GHORFALIA	Natun Rangagora	



389	NIRMALA GOHAIN	Natun Rangagora	শ্রী নির্মলা গৌহান ২
390	NIJUMONI DUTTA	Natun Rangagora	শ্রী নিজুমনি ডাট্টা ৩৩
391	NILMONI BORUAH	Natun Rangagora	শ্রী. নিলমনি বরুয়া ১
392	NIKITA GOGOI	Natun Rangagora	Nitika Gogoi
393	NIMAI PRAJA	Natun Rangagora	
394	BHABESH KURMI	Balijan (Natun Rogagora)	Bhabesh Kurmi
395	NIRADA DEKA	Balijan (Natun Rogagora)	শ্রী নিরাদা ডেকা
396	NIKHAMONI GOGOI	Milanpur (Natun Rangagora)	নিখামনি গগৈ
397	NIRADA GOGOI	Natun Rangagora	
398	NIRAKHI BARUAH	Natun Rangagora	Nirakhi Baruah
399	NIRAMA BARUAH	Natun Rangagora	শ্রীমাণী নিরমা বরুয়া
400	NIRMALA HAZARIKA	Natun Rangagora	
401	NIRMALI BORGHAIN	Natun Rangagora	নির্মালী বর্গগৈ
402	NIRODA SONOWAL	Natun Rangagora	শ্রী নিরোদা সনোৱাল
403	NIRUPOMA BORUAH HANDIQUI	Natun Rangagora	Nirupoma Baruah Handique
404	NIRUPA DUTTA	Natun Rangagora	Nirupa Dutta
405	NITUL DUTTA	Natun Rangagora	 নিতুল ডাট্টা
406	NITUMONI HAZARIKA	Natun Rangagora	নিতুমনি হাজারিকা



407	OLUPI GHARFALIA	Milanpur (Natun Rangagora)	উলুপি গারফালিয়া
408	NUMALI CHETIA	Natun Rangagora	নুমালি চতিয়া
409	PABAN GOHAIN	Natun Rangagora	পাবন গোহাই
410	PADAJA SENAPATI	Natun Rangagora	পাদজা সেনাপতি
411	PADMA HAZARIKA	Natun Rangagora	PADMA HAZARIKA
413	PADMAJYOTI GOHAIN	Natun Rangagora	padmajyoti gohain
413	PADMESHARI GOGOI	Natun Rangagora	
414	PADMESHWAR BARPATRA	Natun Rangagora	padmeshwar barpatra
415	PADMESWAR PATAR	Milanpur (Natun Rangagora)	পদমে শ্বর পাতর
416	PADUMI DEKA	Natun Rangagora	পাদুমি ডেকা
417	PAKHILI GOGOI	Natun Rangagora	Pakhili Gogoi
418	POKHILI BORUAH	Natun Rangagora	
419	PALLAB GOGOI	Milanpur (Natun Rangagora)	Sri Pallab Gogoi
420	PADUMI PHUKAN	Natun Rangagora	পাদুমি ফুকান
421	PADUMI GOHAIN	Milanpur (Natun Rangagora)	পাদুমি গোহাই
422	PANDU PRAJA	Natun Rangagora	পান্ডু প্রজা
423	PANKAJ PATHAK	Natun Rangagora	Pankaj Pathak
424	PAPARI DUTTA	Natun Rangagora	Papari Dutta



425	PALLABI SENAPATI CHETIA	Natun Rangagora	পল্লভী সেনাপতি চেতিয়া
426	PARASH GORH	Natun Rangagora	পারশ গর্হ
427	PAMPI PATOR	Milanpur (Natun Rangagora)	pompi pator.
428	PARBATI MAHATU	Milanpur (Natun Rangagora)	
429	PARBOTI DEKA	Balijan (Natun Rogagora)	
430	PARICH GOHAIN	Natun Rangagora	পাৰিচ গৌহাইন
431	PARUL RAJKHOWA	Natun Rangagora	পাৰুল ৰাজখোৱা
432	Permita Buragohain	Natun Rangagora	Permita Buragohain
433	PETU KURMI	Balijan (Natun Rogagora)	পেটু কুৰ্মি
434	PETU NAGBANGSHI	Milanpur (Natun Rangagora)	
435	PHULSON NAG	Milanpur (Natun Rangagora)	Phulson Nag
436	POLI GOGOI	Milanpur (Natun Rangagora)	পলি গগৌ
437	PONITA PHUKAN	Milanpur (Natun Rangagora)	পোনিতা ফুকান
438	POLIKA GOGOI BARUAH	Natun Rangagora	Polika Gogoi Baruah
439	PREMODA MOHAN	Milanpur (Natun Rangagora)	
440	PAPORI GOGOI	Natun Rangagora	papori gogoi
441	PAPORI BORGHAIN	Natun Rangagora	Papori Borghain.
442	PARISHMITA GOGOI	Milanpur (Natun Rangagora)	Parishmita Gogoi



443	POMILA GOGOI	Natun Rangagora	পমিলা গগই
444	PRAKASH GOGOI	Milanpur (Natun Rangagora)	প্ৰকাশ গগই
445	PRAMILA SONOWAL	Natun Rangagora	Pramila Sonowal
446	PRABAL GOHAIN	Natun Rangagora	. Prabal Gohain
447	PRASANTA PHUKAN	Milanpur (Natun Rangagora)	P. Phukan
448	PRANATI GOGOI	Natun Rangagora milanpur	প্ৰাণতি গগই
449	PRANAB GOGOI	Milanpur (Natun Rangagora)	Pranab Gogoi
450	PRANATI BORA BORUAH	Natun Rangagora	Pranati Bora Boruah.
451	PRANABJYOTI GOGOI	Natun Rangagora	Pranabjyoti Gogoi.
452	PRABHA GHARFALIA	Milanpur (Natun Rangagora)	প্ৰভা গাৰফালিয়া
453	PRASENJIT BARUAH	Natun Rangagora	Prasenjit Baruah
454	PRATI PRAJA	Natun Rangagora	
455	PRIYA KNGATE GOGOI	Natun Rangagora	. Priya Kngate gogoi
456	PRIYALOTA GOGOI	Milanpur (Natun Rangagora)	' প্ৰিয়লতা গগই .
457	PRIYALOTA BORGHAIN	Natun Rangagora	প্ৰিয়লতা বৰ গগই
458	PORISHMITA GOGOI	Milanpur (Natun Rangagora)	Porishmita gogoi
459	PRATIBHA SAIKIA	Natun Rangagora	প্ৰতিভা সাইকিয়া
460	PURNANANDA PATOR	Milanpur (Natun Rangagora)	-



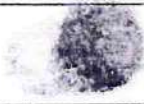


461	PULAK GOHAIN	Natun Rangagora	pulak Gohain
462	PUKLU NAGBONCHI	Milanpur (Natun Rangagora)	
463	PRABITRA MOHAN	Milanpur (Natun Rangagora)	শ্রী প্রবিত্র মন্ডল
464	PRAFULLA GOGOI	Milanpur (Natun Rangagora)	প্রফুল্ল গগৈ
465	PRABHAT MORAN	Natun Rangagora	prabhat moran
466	PRAMUD PHUKAN	Milanpur (Natun Rangagora)	pramud phukan
467	PROMILA GOGOI	Milanpur (Natun Rangagora)	
468	PUNYABATI SONOWAL	Natun Rangagora	
469	PURABI GOGOI	Milanpur (Natun Rangagora)	সুবর্ণি গগৈ
470	PURABI NATH	Natun Rangagora	শ্রী সুবর্ণি নাথ
471	PURNABATI BARPATRA	Natun Rangagora	Purnabati BarPatra
472	PURNIMA HATIBARUAH	Milanpur (Natun Rangagora)	পূর্ণিমা হাতি বরুয়া
473	PURNIMA HATI BORUA	Natun Rangagora	পূর্ণিমা হাতি বরুয়া
474	PURNIMA DUTTA	Natun Rangagora	শ্রী পূর্ণিমা দুতা
475	PURNIMA SONOWAL	Natun Rangagora	পূর্ণিমা সোনোয়াল
476	PUSPA BORUAH	Milanpur (Natun Rangagora)	পুষ্পা বরুয়া
477	PUSPA GOGOI	Natun Rangagora	পুষ্পা গগৈ




478	PUSPANJALI BURAGOHAIN	Natun Rangagora	Puspanjali Buragohain
477	PUTUL BARUAH	Natun Rangagora	Putul Baruah
480	PUTULI MEDHI	Natun Rangagora	পুতুলী মেধী
481	PUTUMONI MORAN GOGOI	Natun Rangagora	পুতুমনি মরান গগৈ
482	RABI MAHATU	Milanpur (Natun Rangagora)	ৰাৰী মাহাটু
483	RABIN GOGOI	Milanpur (Natun Rangagora)	স্বা Rabin Gogoi
484	RAKHI SONOWAL	Natun Rangagora	Rakhi Sonowal
485	RACHANA SONOWAL	Natun Rangagora	ৰাচনা সোনোৱাল
486	RAHUL SAIKIA	Natun Rangagora	Ratul Saikia
487	RAJA GUWALA	Natun Rangagora	
488	RAJESHARI HAZARIKA	Natun Rangagora	
489	RAJEN DUWRA	Milanpur (Natun Rangagora)	Rajen Duwra
490	RAJEN PHUKAN	Milanpur (Natun Rangagora)	ৰাজেন ফুকান
491	RAJIB GOHAIN	Milanpur (Natun Rangagora)	Rajib Gohain
492	RAHESWAR BORPATRA	Natun Rangagora	ৰাহেশ্বৰ বৰপাত্ৰ
493	RAMEN GOGOI	Milanpur (Natun Rangagora)	ৰামেন গগৈ
494	RAJIV GOGOI	Natun Rangagora	Rajiv Gogoi



475	RANA SAIKIA	Natun Rangagora	Rang Saiking
476	RANJITA HATI BARUAH	Milanpur (Natun Rangagora)	রঞ্জিতা হাতি বরুয়া
477	RANJUMONI BURAGOHAIN	Natun Rangagora	Ranjumoni Buragohain
498	RANJIT KARMAKAR	Milanpur (Natun Rangagora)	রঞ্জিত কৰ্মাকৰ
499	RANGMON GHARFALIA	Milanpur (Natun Rangagora)	Rangmon Gharfalia
500	RANJUMONI SAIKIA	Natun Rangagora	Ranjumoni Saikia
501	RATNA NEOG GOGOI	Natun Rangagora	Ratna Neog Gogoi
502	ROSMIREKHA HATIBORUAH	Milanpur (Natun Rangagora)	ৰস্মিৰেখা হাতি বৰুৱা
503	RATNA SONOWAL	Balijan (Natun Rogagora)	
504	REKHA BORUAH	Natun Rangagora	Rekha Boruah
505	RENU DUTTA	Milanpur (Natun Rangagora)	
506	RENU GOGOI	Milanpur (Natun Rangagora)	ৰেনু গগৈ
507	REKHA SONOWAL	Natun Rangagora	ৰেখা সোনৱাল
508	RENU CHETIA	Milanpur (Natun Rangagora)	ৰেনু চেতিয়া
509	RENU KHARIYA	Balijan (Natun Rogagora)	
510	REXONA MAHANTA BURAGOHAIN	Natun Rangagora	Rexona Mahanta Buragohain
511	RINKUMONI GHARFALIA	Milanpur (Natun Rangagora)	ৰিঙ্কুমনি গৰ্হাৰ্ফালিয়া
	RIJUMANI GOGOI	Milanpur (Natun Rangagora)	ৰিজুমানি গগৈ



513	RISHMA GOGOI	Milanpur (Natun Rangagora)	ৰিছমা গগৈ
514	RIMA GOHAIN	Natun Rangagora	Rima Gohain
515	RINA BORGHAIN	Natun Rangagora	ৰিনা বৰগহাই
516	RINA GOHAIN DUTTA	Natun Rangagora	Rina Gohain Dutta
517	RINA SAIKIA	Natun Rangagora	ৰিনা সাইকিয়া
518	RINKUMONI DUTTA	Natun Rangagora	Rinku moni Dutta
519	RITAMONI GHARFALIA	Milanpur (Natun Rangagora)	ৰিতা মনি গাৰফালিয়া
520	RINKY BORAH BARUAH	Natun Rangagora	Rinky Borah Baruah
521	RITUPAN GOGOI	Natun Rangagora	Ritupan Gogoi
522	RONGDOI PHUKAN	Milanpur (Natun Rangagora)	ৰঙদৌ ফুকান
523	RONGDOI BORUAH	Natun Rangagora	ৰঙদৌ বৰুৱা
524	ROTAN PHUKAN	Natun Rangagora	ৰতন ফুকান
525	RUBUL PATOR	Milanpur (Natun Rangagora)	Rubul pator
526	RUBITA GOGOI	Milanpur (Natun Rangagora)	ৰুবিতা গগৈ
527	RUKMONI PRAJA	Natun Rangagora	
528	RUPA PHUKAN	Milanpur (Natun Rangagora)	ৰুপা ফুকান
529	RUMI GOGOI	Natun Rangagora	ৰুমী গগৈ
530	RUPAHI GOGOI	Milanpur (Natun Rangagora)	ৰুপাহী গগৈ



531	RUMI SAIKIA CHETIA	Natun Rangagora	Rumi Saikia Chetia
532	RUNU DUTTA	Natun Rangagora	রুণু দুতা
533	RUNUMI SONOWAL	Balijan (Natun Rangagora)	Runumi Sonowal
534	RUPA GOGOI	Milanpur (Natun Rangagora)	
535	RUPALI GOGOI	Natun Rangagora	
536	RUPA SENAPATI	Natun Rangagora	Rupa Senapati
537	RUPALI BARUAH	Natun Rangagora	Rupali Baruah
538	SAILEN BORUAH	Milanpur (Natun Rangagora)	Priy Sailer Boruah
539	RUPAMALA GOHAIN	Natun Rangagora	ৰূপমালা গোস্বামী
540	SURABHI KALITA BORGHAIN	Milanpur (Natun Rangagora)	SURABHI KALITA. BORGHAIN
541	RAJIB BORAH	Natun Rangagora	Rajib
542	SALITA NAGBONCHI	Milanpur (Natun Rangagora)	Salita =
543	SALIMI GOHAIN	Natun Rangagora	Salimi Gohain
544	PURNIMA BORGHAIN	Natun Rangagora	পূর্ণিমা বর্গহাইন
545	SANGITA CHETIA	Natun Rangagora	সংগিতা চেতিয়া
546	SANGEETA GOGOI NEOG	Natun Rangagora	সংগীতা গগৈ নেওগ
547	SAGOR HAZARIKA	Natun Rangagora	
548	SANJIB DUWARAH	Milanpur (Natun Rangagora)	Sani Sanjib Dwarah



547	SANJIB PRAJA	Natun Rangagora	Sanjib Praja
550	SANKAR NAGBONGSHI	Milanpur (Natun Rangagora)	শ্রী সঙ্কর নাগবংশী
551	SANTI KARMAKAR	Milanpur (Natun Rangagora)	
552	SANTOSH KURMI	Balijan (Natun Rangagora)	শ্রী সন্তোষ কুর্মি
553	SAPNA GARH	Natun Rangagora	
554	SATYAJIT GOHAIN	Milanpur (Natun Rangagora)	Satyajeet Gohain
555	SARNALATA GOHAIN	Natun Rangagora	
556	SATYARANJAN BARUAH	Natun Rangagora	Satyaranjan Baruah.
557	SHAYLYADHA GOGOI	Natun Rangagora	শ্রী শৈল্যাধা গগৈ
558	SHOBHA GOGOI	Natun Rangagora	শ্রী শোভা গগৈ
559	SIDARTHA BORGHAIN	Natun Rangagora	S. Borgohain.
560	SIBANATH BORAH	Natun Rangagora	শ্রী সিবানথ বড়া
561	SOMARI KURMI	Natun Rangagora	Somari Kurmi
562	SONIT HAZARIKA	Natun Rangagora	শ্রী সোনিত হাজারিকা
563	SONMONI GOGOI	Natun Rangagora	শ্রী সোনমনি গগৈ
564	SOURAB GOGOI	Milanpur (Natun Rangagora)	SOURAB GOGOI
565	CHAMPA GOHAIN	Natun Rangagora	
566	SRIMOTI KARMAKAR	Milanpur (Natun Rangagora)	



567	SURAJIT BORGHAIN	Natun Rangagora	Surajit Borgohain
568	SONTARA DUTTA	Natun Rangagora	সন্তরা দত্ত
569	SUALA DUTTA	Natun Rangagora	Suala Dutta
570	SUBARNA NATH	Natun Rangagora	সুবর্ণা নাথ
571	SUBASH BARUAH	Natun Rangagora	সুবাস বৰুৱা
572	SUBHADRA SONOWAL	Balijan (Natun Rangagora)	
573	SUSILA GHARFALIA	Milanpur (Natun Rangagora)	
574	SUCHILA KURMI	Balijan (Natun Rangagora)	
575	SUBHADRA GOGOI	Milanpur (Natun Rangagora)	সুবহদ্রা গগৈ
576	SUKHEN GOGOI	Milanpur (Natun Rangagora)	- Sukhen Gogoi
577	SUMESWAR BORAH	Natun Rangagora	সুমেশ্বৰ বৰুৱা
578	SUMESWAR DUTTA	Natun Rangagora	সুমেশ্বৰ দত্ত
579	SUMI NAG	Milanpur (Natun Rangagora)	সুমি নাগ
580	SUMITA NAG	Milanpur (Natun Rangagora)	সুমিতা নাগ
581	SURAJ HATIBARUAH	Milanpur (Natun Rangagora)	সুবাস হাতি বৰুৱা
582	SUJA GOGOI	Milanpur (Natun Rangagora)	1. Suja Gogoi
583	SIKUN GHARFALIA	Milanpur (Natun Rangagora)	সিকুণ গাৰফালিয়া
584	SUNARAM GHARPHALIA	Milanpur (Natun Rangagora)	



585	SUNU GHARFOLIYA	Milanpur (Natun Rangagora)	সুনু ঘর ফলীয়া
586	SURABHI KHONIKAR	Milanpur (Natun Rangagora)	সুৰাভী খোনিকাৰ
587	SUSHIL HATIBORUAH	Milanpur (Natun Rangagora)	Sushil Hati Boruah
588	SURABHI CHETIA	Natun Rangagora	.
589	SURABHI PATOR	Milanpur (Natun Rangagora)	সুৰাভী পাতৰ
590	SURAJ KHARIA	Balijan (Natun Rangagora)	Suraj Kharia
591	SURAJ KUMAR PATHAK	Natun Rangagora	Suraj Pathak
592	SURAJ NAGBONSHI	Milanpur (Natun Rangagora)	সুৰাজ নাগবংশী
593	SUWALA SENAPATI	Natun Rangagora	সুৱালা সেনাপতি
594	SWARANALATA HAZARIKA	Natun Rangagora	স্বৰ্ণালতা হাজৰিকা
595	TALAKI NEOG	Natun Rangagora	
596	TARABATI BARUAH	Natun Rangagora	
597	TARATI NEOG	Balijan (Natun Rangagora)	তাৰতি-নোগ
598	TARUN BORAH	Natun Rangagora	Tarun Borah
599	TARULOTA BORGHAIN	Natun Rangagora	Tarula Bora Borghain
600	TARINI KALITA	Balijan (Natun Rangagora)	তাৰিনি কলিতা
601	TEZIMALA GOGOI	Natun Rangagora	তেজিমালা গগৈ
602	TIKO SENAPATI	Natun Rangagora	



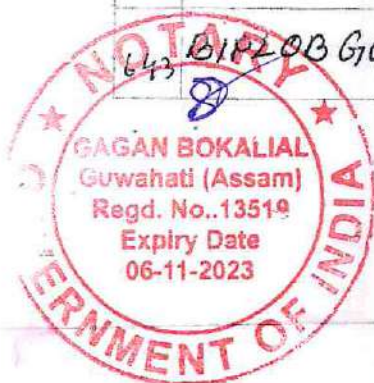
603	TILAK GOGOI	Natun Rangagora	Tilak Gogoi
604	TILAMANI KURMI	Natun Rangagora	Tilamani Kurmi
605	TILU GOGOI	Natun Rangagora	
606	TOSIL BORPATRA	Natun Rangagora	Tosil Borpatra
607	TILUMAI BARUAH	Natun Rangagora	
608	TORATI GOGOI	Milanpur (Natun Rangagora)	Torati Gogoi
609	TINKU KHARIA	Balijan (Natun Rangagora)	Tinku Kharia
610	TULESWRI BORUAH	Milanpur (Natun Rangagora)	
611	TULESWAR GOGOI	Natun Rangagora	Tuleswar Gogoi
612	TULUK BORGHAIN	Natun Rangagora	
613	TULSI NEOG	Natun Rangagora	
614	TUPALI GOGOI	Natun Rangagora	
615	TUNKI NAGBONCHI	Milanpur (Natun Rangagora)	
616	UBUL BORGHAIN	Natun Rangagora	Ubul Borghain
617	TUTUMONI GOGOI	Milanpur (Natun Rangagora)	
618	UDIP BORGHAIN	Natun Rangagora	Udip Borghain
619	HUKHEN GOGOI	Milanpur (Natun Rangagora)	Hukhen Gogoi
620	UMANTA SONOWAL	Natun Rangagora	Umanta Sonowal



621	UMUKUL GOHAIN	Natun Rangagora	৫ Mukul Gohain
622	UPEN NATH	Natun Rangagora	শ্রী উপেন নাথ
623	VASKAR BORGOHAIN	Milanpur (Natun Rangagora)	শ্রী বসন্ত বরগোহাই
624	YATIN MAHAN	Milanpur (Natun Rangagora)	শ্রী যতিন মহান
625	BHUGESWAR CHETIA	Milanpur (Natun Rangagora)	শ্রী ভূগেশ্বর চতিয়া



626	ASHOK PRAJA	NATUN RANGAGORA	অশোক প্ৰজা (৩৩)
627	BHUPEN BORGOHAIN	NATUN RANGAGORA	বি ভূপেন বৰগোহাين
628	KHAGESWAR SENAPATI	NATUN RANGAGORA	খাগেশ্বৰ সেনাপতি
629	GOGOI BIJULI Chutia gogoi	NATUN RANGAGORA	Bijuli chutia gogoi
630	HUNMAI BORGOHAIN	NATUN RANGAGORA	
631	CHITRARANJAN BORPATRA	NATUN RANGAGORA	Chitraranjan Borpatra
632	DURANTA HAJARIKA	NATUN RANGAGORA	Duranta Hajarika
633	GOLAP PATHAK	NATUN RANGAGORA	Pathak
634	HORUTI GOGOI	NATUN RANGAGORA	
635	HIRAKJYUTI GOGOI	NATUN RANGAGORA	Hirak jyoti Gogoi
636	HEMANTA GOGOI	MILANPUR (NATUN RANGAGORA)	হীৰেমান্ত গগৈ
637	JOGU NAG BANSHI	NATUN RANGAGORA	
638	KANDURI HAJARIKA	NATUN RANGAGORA	
639	MAKON DUTTA	NATUN RANGAGORA	
640	MADHU PHUKAN	MILANPUR (NATUN RANGAGORA)	মধু ফুকান
641	MINTU DUTTA	NATUN RANGAGORA	Mintu Dutta
642	NITA BORGOHAIN	NATUN RANGAGORA	Nita Borgohain
643	BIPROB GOGOI MILANPUR		Biprob Gogoi



644	PURNIMA BORPATRA	NATUN RANGAGORA	
645	PARUL GOGOI	NATUN RANGAGORA	
646	PRATIMA GOGOI	MILANPUR(NATUN RANGAGORA)	শ্রী প্রতীমা গগৈ
647	PRANALI BORUAH	NATUN RANGAGORA	প্রাণালী বরুয়া
648	RUNAP JYOTI GOGOI	NATUN RANGAGORA	Runap Jyoti Gogoi
649	RUPA SAIKIA	MILANPUR(NATUN RANGAGORA)	Rupa Saikia
650	RIMJHIM KONWAR SENAPAT	NATUN RANGAGORA	Rimjhim Konwar Senapati
651	SURAJ NAGBANSHI	MILANPUR(NATUN RANGAGORA)	
652	ANJALI PHUKAN	MILANPUR	অঞ্জলী ফুকন
653	JYOTISH BOR GOHAIN	NATUN RANGAGORA	Jyotish Bor Gohain.
654	ANU NAGBONSHI	MILANPUR	
655	BASANTA GOGOI	MILANPUR	বাসন্তী গগৈ
656	JUNALI KARMAKAR	MILANPUR	
657	SANJA SARKAR	MILANPUR	
658	KHANEEN CHANDRA GOHAIN	NATUN RANGAGORA	Khaneen



To,  
The Deputy Commissioner,  
Tinsukia District,  
Borguri, Tinsukia.



Date: 29/05/2020

Sub: Leakage of gas and oil condensates from Baghjan Oil well belonging to Oil India Limited.

Dear Sir,

Namaskar ! On 27<sup>th</sup> May, 2020, at about 10:20 A.M. a blowout incident occurred at an oil well belonging to Oil India Limited (OIL) at Baghjan village which has not been controlled yet. Following the blowout incident in which gases were released, a lot of oil condensates and other residual matter have also contaminated Maguri-Motapung Beel and grassland surrounding the well. Several areas under Dibru-Saikhowa Biosphere Reserve have been affected by this incident. In the meanwhile, one critically endangered Gangetic River Dolphin, several fish & other aquatic life have been found dead in the area. Grasslands have dried in the area while people living in the periphery of the well are complaining about health ailments like headaches, stomachaches, burning eyes etc. People from surrounding villages such as Natun Rangagora Gaon, Milanpur, Hatibaat, Motapung and others have been badly impacted by this incident even as District Administration and other authorities have not taken any initiative to help the affected people. Livestock as well as fodder stocks are slowly depleting in the area following the incident. Several croplands and farms have been damaged as well. Food security of people especially the daily wage earners has also been threatened by the gas leak from the oil well. Sir, I request to take all the necessary steps to protect the people from the disaster.

The oil well affected by the blowout is situated within the radius of 10 kilometers of the Dibru-Saikhowa National Park's Eco-sensitive Zone. OIL never organized any public hearing before establishing the oil well at Baghjan village. OIL has been illegally drilling in the area and extracting gas and crude oil from inside Dibru-Saikhowa National Park. The pipeline that transports the extracted crude oil and natural gas to Baghjan E.P.S. has been built across the Dibru river which flows through Maguri-Motapung Beel has no Environmental Clearance. We believe that due to these illegal activities of OIL, this incident of blowout in Baghjan has happened.

Sir, through this letter I request you to control this disaster immediately and conduct a high level enquiry into the illegal drilling and transportation of oil and gas by OIL. I also request you to examine all the mandatory clearances, NOCs and permissions of OIL by which it is operating around the 10 kilometers radius of Dibru-Saikhowa National Park's Eco-sensitive Zone. Sir, I also request you to take all the necessary steps to ensure proper compensation to the people facing loss of their livelihoods, farms and livestock due to this incident.

Thanking you



Your sincerely,

*Niranta Gohain*  
( Niranta Gohain )

Natun Rangagora Gaon,

P.O. Rangagora, Dist-Tinsukia, Assam

Mobile No. - 9854791571



Items No. 01 & 02

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI  
(Through Video Conferencing)**

Original Application No. 43/2020/EZ

And

Original Application No. 44/2020/EZ

Bonani Kakkar

Applicant(s)

Versus

Oil India Limited & Ors.

Respondent(s)

And

Wild Life and Environment  
Conservation Organisation

Applicant(s)

Versus

Union of India Board & Ors.

Respondent(s)

Date of hearing: 24.06.2020

**CORAM: HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE MR. SIDDHANTA DAS, EXPERT MEMBER**

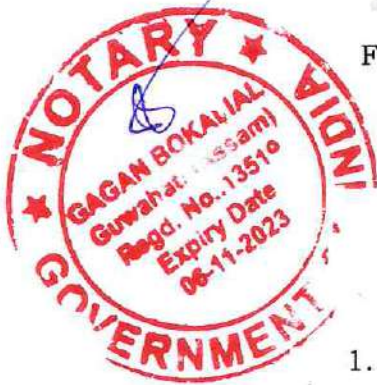
For Applicant(s):

Mr. Siddhartha Mitra, Senior Advocate  
along with Ms. Shruti Agarwal, Advocate  
in Item No. 1.

Mr. Priyadarshi Chaitanyashil, Ms. Ranu  
Purohit, and Mr. Sant Rakshit Manu,  
Advocates in Item No. 2.

**ORDER**

1. Case taken up by video conference on *Vidyo App*.



2. These cases are taken up together as identical questions have been raised. The Applicant in O.A. No. 43/2020/EZ, an environmentalist, who has preferred the application alleging failure of the Respondent Authorities in preventing the blowout of Baghjan 5 oil well of the Respondent No. 1, M/s. Oil India Ltd. (OIL in short), resulting in a massive fire causing irreparable loss to the entire biodiversity of the region and loss of lives and property.
3. It is stated that on 27.05.2020 at around 10:30 AM the producing well of Baghjan 5 under the Baghjan Oilfield of OIL in Tinsukia District, Assam, released natural gas in an uncontrolled manner. Baghjan is one of the 23 oil wells set up by OIL to tap the large gas reserves in the Brahmaputra basin located near the Eco Sensitive Zone (ESZ) of the Dibru-Saikhowa National Park. The released gas is stated to be a mix of propane, methane, propylene and other gases that flow with the wind the condensate of which mostly falls on the bamboo groves, tea gardens, banana trees and betel nut trees in the area and also spread into the Dibru-Saikhowa National Park which, according to the Applicant, records over 40 mammals, 500 species of birds, 104 fish species, 105 butterfly species and 680 types of plants,



including a wide variety of rare orchids. It harbours the tiger, elephant, wild buffalo, leopard, hoolock gibbon, capped langur, slow loris, Gangetic dolphin, besides critically endangered bird species such as the Bengal Florican, White Winged Duck, Greater Adjutant stork, White rumped vulture, slender billed vulture as well as the rare and endemic Black-breasted parrotbill.

4. The Dibru Saikhowa National Park and Biosphere Reserve is stated to lie at a point where rivers Siang, Dibang and Lohit meet to form the river Brahmaputra and is a mosaic of wetlands, swamps, grasslands and forests and hosts several critically endangered bird species and endangered Gangetic Dolphin. Gangetic river dolphins, India's national aquatic animal, have reportedly died due to the gas blow-out and many other endangered species of flora and fauna destroyed.

5. It is further stated that oil has spilled into the Dibru river causing a film of oil in the river that passes through the Maguri-Motapung wetlands, an Important Bird and Biodiversity Area, and along the Dibru Saikhowa National Park. The Maguri-Motapung Wetland, located less than 10 km from Dibru-Saikhowa National Park, is a part of the



Dibru-Saikhowa Biosphere Reserve (DSBR) and hosts some of the most vulnerable species of birds such as Swamp Francolin, Marsh Babbler, Greater Adjutant and Pallas's Fish-eagle, Red-headed Vulture and White-bellied Heron, and over 80 species of fish. River Dibru is a tributary of River Lohit which then forms river Brahmaputra in the lower reaches. Brahmaputra river system is also a home to Gangetic dolphins.

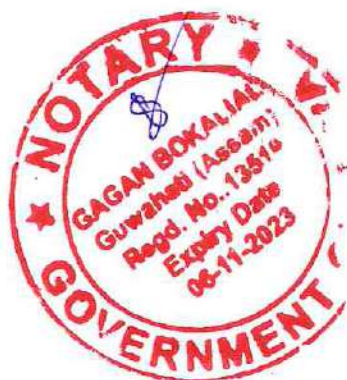
6. It is stated that enormous volume of inflammable natural gas was being released from the Baghjan-5 well since 27.05.2020 which caught fire on 09.06.2020 claiming lives of two fire-fighters. The blow-out has left behind huge volumes of residue as gas condensate which is a mixture of chemical compounds that are toxic for land and vegetation and is a known carcinogen. The blowout is not only hazardous to the health of the people but also severely affect their livelihood whose occupation is mainly agriculture, fishing and animal rearing.

7. The Applicant further contends that due to negligence and lapses on the part of the Respondent No. 1, OIL, the community as well as the biodiversity of the entire Dibru-



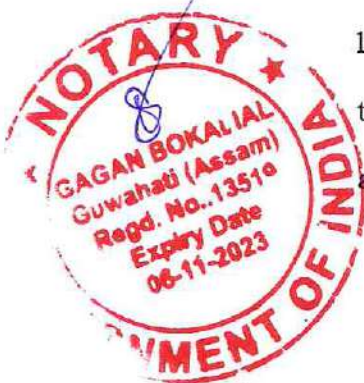
Saikhowa Biosphere Reserve is under threat of irreparable damage.

8. The Applicant in O.A. No. 44/2020/EZ, a NGO dedicated to community awareness in the Upper Assam region has raised the same questions as the one raised in the O.A. No. 43/2020/EZ. It is stated that due to the fire that broke-out in the oil well of OIL, apart from causing enormous destruction and damage to the ecology, there has also been loss of property and human life and wildlife. The fire is stated to be still raging causing severe threat to the local population and the flora and fauna of the ecologically fragile region. Almost 1785 people of Baghjan village under Hapjan Block, Tinsukia District, Assam are stated to be witnesses to the incident that resulted in evacuation of 800 families from the site of the well and nearby region on 30.05.2020. Due to the negligence and lack of concrete effort on the part of the Respondent No. 1 to control the spread of the oil and gas leak, enormous fire broke-out in the area on 09.06.2020 which continuous to rage causing displacement of more than 1600 families. The applicant strongly invokes the precautionary principle and the Polluters Pay Principle under Section 20 of the NG Act, 2010 as well as the "Public Trust" doctrine.



9. During the course of his argument, the Ld. Senior Counsel for the applicant in O.A. No. 43/2020/EZ has referred to a newspaper report published in [www.hindustantimes.com](http://www.hindustantimes.com) on 11/06/2020 titled "Put new gas wells on hold until OIL has a disaster plan: Wildlife Institute", according to which the toxic fumes and oil coating have universally affected the area's flora and fauna. The contaminants and oil are continuing to be released in the surrounding areas requiring immediate steps to contain the spill over. The released toxins are known to have long-term persistence in soils and sediments, due to percolation which will not only affect the current life conditions but, due to sustained release, pose a serious health risk for a longer-term. It was contended that the place of incident is merely 500 metres away from Motapung beel and Dibru-Saikhowa National Park.

10. Further, the OIL did not have a mitigation plan for such disaster although the Standing Committee of the National Board for Wildlife had recommended that the OIL provide a legal undertaking about their environmental safeguards and to specify the nature and extent of their liability in case of accidents involving oil spillage/gas leakage into the Maguri-



Motapung wetland. A comprehensive impact assessment was also suggested in respect of the OIL field operations in the biodiversity-rich Dibru-Saikhowa National Park and that further explorations in the area should be initiated only after a thorough investigation of potential impact and after evaluating disaster handling capabilities in place with appropriate technology and trained manpower.

11. It appears that a comprehensive study had been undertaken by the Wild Life Institute of India (WII) post the blow out as per newspaper, report published in [www.hindustantimes.com](http://www.hindustantimes.com) on June 11, 2020, referred to earlier a copy of which filed along with OA 43/2020. The report of the WII indubitably holds the OIL culpable for the incident.

12. We have heard the learned Counsel for the Applicants and we are satisfied that the cases involve substantial questions relating to environment that calls for consideration by the Tribunal under Sections 14 and 15 of the National Green Tribunal (NGT) Act, 2010.

13. Issue notice returnable in 30 days.



14. Applicants to furnish requisite within 03 days without fail.
15. Keeping in view the entire facts and circumstances set out in the applications and upon consideration of the documents filed therewith as well as the oral submission of the learned Counsel for the Applicants, we are of the view that in order to proceed further in the matter effectively, it would be expedient, in the meantime, to constitute a Committee of Experts to look into the matter on the initial terms of reference which shall be set out below. The Committee shall comprise of the following:-

- 1 Hon'ble Mr. Justice B.P. : Chairman  
Katakey, former Judge of the  
Gauhati High Court.
- 2 Member Secretary, Central : Member  
Pollution Control Board  
(Online, if travel is restricted  
due to Covid-19)
- 3 A senior expert from Council of : Member  
Scientific and Industrial  
Research (CSIR)  
(Online, if travel is restricted  
due to Covid-19)
- 4 Dr. Sarbeswar Kalita, Professor : Member  
and Head of the Department of  
Environment Science,  
Guwahati University
- 5 Shri. Abhay Kumar Johari, IFS : Member  
(retired), Former Member  
Biodiversity Board



- 6 Shri Ajit Hazarika, Ex-Chairman, ONGCL : Member
- 7 Member Secretary/Senior Scientist, Assam State Pollution Control Board
- 8 District Magistrate, Tinsukia District, Assam : Member

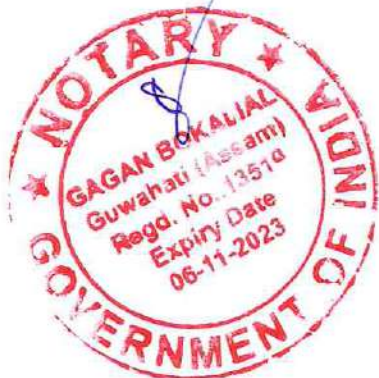
The Committee shall be at liberty to co-opt as member or seek opinion from any other expert/ experts or institution/institutions including Wildlife Institute of India (WII), Dehradun, if felt necessary.

The Member Secretary, CPCB shall be the nodal agency for coordination.

The State PCB and the District Magistrate, Tinsukia District, Assam shall provide all logistic support including personal protection equipment (PPE) in relation to the Covid-19 pandemic and security to the members of the Committee.

16. The initial expenditure for the functioning of the Committee shall be borne by the State of Assam which may be reimbursed after the liability for the damage is assessed.

17. The Committee shall visit and inspect the site and the area in question and examine on the following aspects:-



- i. Cause of gas and oil leak;
- ii. Extent of loss and damage caused to human life, wildlife, environment;
- iii. Damage and health hazard caused to the public;
- iv. Whether any contamination has been caused to water, air and soil of the area of the oil well and its vicinity;
- v. Extent of contamination of water of the Dibru river due to the oil spill;
- vi. For the purpose of (iv) and (v) above, it may be necessary to get the air quality monitored and, samples of soil and ground water of the area as well as the water of river Dibru downstream of the oil spill tested;
- vii. Impact on the eco sensitive zone of the Dibru-Saikhowa National Park and Maguri-Motapung Wetland;
- viii. Impact on agriculture, Fishery and domestic animals in the area;
- ix. Whether there were any mitigation measure put in place by OIL to offset the incidents such as the one in question;



- x. Persons responsible for the fire incidents and the cause of failure to prevent the incident;
- xi. Assessment of compensation for the victims and cost of restitution of the damage caused to property and the environment;
- xii. Preventive and remedial measures;
- xiii. Any other incidental or allied issues.

18. While dealing with the above questions, the Committee may also dwell on the action taken thus far either by the Government or by the OIL or by any other agency and the expenditure incurred towards mitigation. Opportunity may also be provided to the Respondent OIL to give its views and submissions.

19. The Committee shall submit its preliminary report to the Registry by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) as expeditiously as possible not later than 30 days from hence.

20. In view of the prevalent situation caused by the pandemic, the Applicant may also furnish copies of the applications and its annexures along with a copy of this order to each of the Members of the Committee forthwith by e-mail.



21. In view of the *prima facie* case made out against OIL on the extent of damage caused to the environment and biodiversity, damage to both human and wildlife, public health and, having regard to the financial worth of the Company and the extent of damage, we direct the OIL to deposit an initial amount of ₹25 Crores with the District Magistrate, Tinsukia District, Assam and shall abide by further orders of the Tribunal.

22. Let copies of this order be sent to Hon'ble Mr. Justice B.P. Katakey, former Judge of the Gauhati High Court and other Members of the Committee facilitate early and convenient transaction of the matter. A copy of this order be also transmitted forthwith to the Chief Secretary, Government of Assam, who shall ensure compliance of the directions by all concerned Departments and Government agencies in the State.

23. List for further consideration on 29.07.2020.

S.P. Wangdi, JM

Siddhanta Das, EM

24<sup>th</sup> June, 2020  
O.A. No. 43/2020/EZ & O.A. 44/2020/EZ  
avt



Item Nos. 04 & 05

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 43/2020(EZ)

Bonani Kakkar

Versus

Applicant(s)

Oil India Limited & Ors

Respondent(s)

**AND**

Original Application No. 44/2020(EZ)

Wild Life and Environment  
Conservation Organization

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

(With report dated 24.07.2020)

Date of hearing: 29.07.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

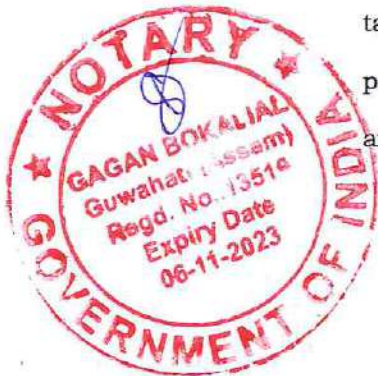
Applicant(s): Ms. Shruti Agarwal, Advocate in OA 43/2020(EZ)  
Mr. Chetan Priyadarshi, Advocate in OA 44/2020(EZ)

Respondent(s): Mr. Mukul Rohatgi, Senior Advocate with Mr. Parthiv K.  
Goswami and Mr. Rahul Pratap, Advocates for OIL  
Mr. Raj Kumar, Advocate for CPCB  
Mr. Shuvodeep Roy, Advocate for State of Assam

**ORDER**

The 'preliminary report' dated 24.07.2020 filed by the Expert Committee constituted by this Tribunal vide order dated 24.06.2020 is taken on record. On the request of learned Counsel appearing for the parties, adjourned to 06.08.2020. Liberty to file further submission, if any, before the next date.

Adarsh Kumar Goel, CP



S. P. Wangdi, JM

Dr. Nagin Nanda, EM

July 29, 2020  
Original Application No. 43/2020(EZ) &  
Original Application No. 44/2020(EZ)  
DV



Item Nos. 05&6

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 43/2020(EZ)

(With preliminary report dated 24.07.2020)

Bonani Kakkar

Applicant(s)

Versus

Oil India Limited & Ors.

Respondent(s)

**AND**

Original Application No. 44/2020(EZ)

Wild Life and Environment  
Conservation Organization

Applicant(s)

Versus

Union of India & Ors.

Respondent(s)

Date of hearing: 06.08.2020

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE S. P. WANGDI, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER**

Applicant:

Mr. Siddartha Mitra, Senior Advocate with Ms. Shruti Agarwal  
Advocate in O.A. No. 43/2020(EZ)

Respondent(s):

Ms. Ranu Purohit, Advocate in O.A. No. 44/2020 (EZ)  
Mr. S.N. Sharma, Senior Advocate with Mr. Parthiv K. Goswami  
and Mr. Rahul Pratap, Advocates for OIL  
Mr. Raj Kumar, Advocate for CPCB  
Mr. Shuvodeep Roy, Advocate for State of Assam

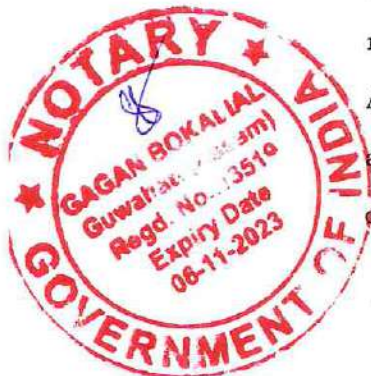
**ORDER**

1. This order is being passed in continuation of orders dated 24.06.2020 and 02.07.2020 dealing with the issue of providing remedies to the victims and for restoration of environment as a result of incident of



oil blowout on 27.05.2020 and other consequential events that followed at Baghjan in Tinsukia District of Assam.

2. The Tribunal noted the case of the applicant that as a result of blowout on 27.5.2020, the Baghjan Oil well set up by the Oil India Limited (OIL) released **propane, methane, propylene** and other gases causing damage to bamboo groves, tea gardens, banana trees and betel nut trees in the area and also spread into the Dibru-Saikhowa National Park which, according to the Applicant, records over 40 mammals, 500 species of birds, 104 fish species, 105 butterfly species and 680 types of plants including a wide variety of rare orchids. The area harbours tiger, elephant, wild buffalo, leopard, hoolock gibbon, capped langur, slow loris, Gangetic dolphin, besides critically endangered bird species such as the Bengal Florican, White Winged Duck, Greater Adjutant stork, White rumped vulture, slender billed vulture as well as the rare and endemic Black-breasted parrotbill. The oil also spilled into the Dibru river causing a film of oil in the river that passes through the Maguri-Motapung wetlands, an Important Bird and Biodiversity Area, and along the Dibru Saikhowa National Park. The Maguri-Motapung Wetland, located less than 10 km from Dibru-Saikhowa National Park, is a part of the Dibru-Saikhowa Biosphere Reserve (DSBR) and hosts some of the most vulnerable species of birds such as Swamp Francolin, Marsh Babbler, Greater Adjutant and Pallas's Fish-eagle, Red-headed Vulture and White-bellied Heron, and over 80 species of fish. River Dibru is a tributary of River Lohit which then forms river Brahmaputra in the lower reaches. Brahmaputra river system is also a home to Gangetic dolphins. As a result of the blowout, there was also a fire on 09.06.2020. The applicant has also stated that the blowout has left behind huge volumes of residue as gas condensate which is a mixture of chemical compounds



that are toxic for land and vegetation and is a known carcinogen. The blowout is not only hazardous to the health of the people but also severely affect their livelihood whose occupation is mainly agriculture, fishing and animal rearing. **1610 families were displaced as a result of the gas leak.**

3. Vide order dated 24.06.2020, the Tribunal constituted a Committee headed by a former Judge of Gauhati High Court with representatives from CPCB, CSIR, Guwahati University, State Bio-diversity Board, ONGCL, State PCB and the District Magistrate, Tinsukia District with liberty to the Committee to co-opt any other expert or institution. The terms of reference of the Committee are:-

- i. Cause of gas and oil leak;
- ii. Extent of loss and damage caused to human life, wildlife, environment;
- iii. Damage and health hazard caused to the public;
- iv. Whether any contamination has been caused to water, air and soil of the area of the oil well and its vicinity;
- v. Extent of contamination of water of the Dibru river due to the oil spill;
- vi. For the purpose of (iv) and (v) above, it may be necessary to get the air quality monitored and, samples of soil and ground water of the area as well as the water of river Dibru downstream of the oil spill tested;
- vii. Impact on the eco sensitive zone of the Dibru-Saikhowa National Park and Maguri-Motapung Wetland;
- viii. Impact on agriculture, Fishery and domestic animals in the area;



- ix. Whether there was any mitigation measure put in place by OIL to offset the incidents such as the one in question;
- x. Persons responsible for the fire incidents and the cause of failure to prevent the incident;
- xi. Assessment of compensation for the victims and cost of restitution of the damage caused to property and the environment;
- xii. Preventive and remedial measures;
- xiii. Any other incidental or allied issues.

4. The OIL moved an I.A. No. 30 of 2020 for recall of order dated 24.06.2020 which was disposed of vide order dated 02.07.2020 reiterating the order dated 24.06.2020 except the requirement of depositing the amount of Rs. 25 Crores in view of OIL having set apart more than the said amount and statement made before this Tribunal that any further amount will be made available as and when necessary.

5. The Committee constituted by this Tribunal filed its preliminary report dated 24.07.2020 which came up for consideration on 29.07.2020. However, on the request of learned counsel for the OIL, the matter was deferred to today to enable the OIL to file its submission with reference to the said report.

6. We have heard learned counsel appearing for the parties on the subject of further course of action to be adopted.

7. The preliminary report of the Committee mentions the extent of damage to the environment, to the private property and to the individuals. The Committee has also suggested interim measures including the compensation to the affected families and individuals.



8. The Committee appointed two Research Associates qualified in the field. It *inter alia* considered the data gathered with regard to the reasons for the blowout on 27.05.2020 and explosion on 09.06.2020, the environmental and regulatory violations that emerged from primary assessment, environmental damage caused by the blowout based on secondary research/data and the scale of interim compensation to the affected families and individuals. The report covers information collected upto 21.07.2020. However, the report mentions that on 22.07.2020 another explosion occurred resulting in injury to three experts engaged by OIL to douse the fire. The Committee undertook deliberations through telephone and video conferencing in the light of the current pandemic. The Committee gave public notice inviting information and suggestions from all stake holders. The Committee interacted with several stakeholders including representatives of the local communities such as the *Baghjan Gaon Milonjyoti Yuba Sangha*, environmental action groups and NGOs with domain expertise such as *Aaranyak* etc. The Committee also consulted and received representation and recommendations from environmental scientists including Prof. B.C. Choudhury, Dr. Asad Rahmani, Dr. Ritesh Kumar, Dr. Ranjan Kumar Das and thought it proper to call for records/opinion from various institutions with expertise and resources in those specialized areas. Further, the Committee engaged with Department of Environment, Government of Assam, CPCB, State PCB, State Diversity Board, CSIR-NEIST. Reference has also been made to the report of Committees constituted by Government of Assam headed by Shri M.K. Yadava, reports of the *Gaonburahs* (Village heads) of the concerned villages, called for through the Office of the District Administration and the Wildlife Institute of India.



9. The Committee has thereafter made its observations with reference to various terms of reference as follows:-

**a. Cause of Accident**

“So, in summary we find following probable reasons of this blowout :

- (i) There was deficiency in understanding of the gravity of a critical operation like removal of BOP without having a confirmed and tested secondary safety barrier.
- (ii) There was deficiency in proper planning of critical operations. There was a clear mismatch between Planning and its Execution at site and deviations from the Standard Operating Procedure (SOP).
- (iii) There were serious deficiencies of proper level of supervision of critical operation at well site both from the Contractor as well as from OIL.”

**b. Fixation of Responsibility for the Accident**

“The Committee will be able to give a clear finding on whom to fix the responsibility for this accident in its subsequent Reports.”

**c. Immediate Preventive Measures to Avoid Similar Blowout and Explosions**

Preventive measures suggested include isolation of hydro carbon bearing zone, placement of secondary safety barrier, placement of cement plug, proper cement slurry design and preparation of contingency plan.

10. With regard to status of compliance of environment safeguards, the Committee found:-

*“In view of the above discussion and on basis of the submissions and documents submitted by OIL and the PCB, Assam, it is concluded that OIL does not have, till date, the required consent to establish and/or consent to operate to either carry out drilling and testing of hydrocarbons in Well Baghjan-5 under the DSNP Area, except for what has been stated in para 10 above. This indicates a serious and grave infraction against the statutory environmental safeguards, more particularly under Section 25 & 26 of the Water Act, Section 21 of the Air Act, the authorization under Rule 6 of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2016 and the Environmental Clearance dated 11.05.2020 for the said project. This may therefore require scrutiny of all existing projects of OIL in the State of Assam to ascertain if they meet the mandatory requirements of obtaining consent / authorization under the aforesaid Acts and Rules. It is recommended*



that the Hon'ble NGT may also look into the activities of the PCB, Assam with regard to the grant of CTE / NOC and CTO for all the projects of OIL, presently in operation, in the State of Assam."

11. The Committee further found:-

"Having reviewed the documents placed before the Committee by both OIL and the Assam State Biodiversity Board, there appears to be a clear noncompliance vis-à-vis of conducting the Biodiversity Impact Assessment study as was mandated vide Clause 1 of the aforesaid Order passed by the Hon'ble Supreme Court. Neither OIL nor the Assam State Biodiversity Board have presented any Biodiversity Impact Assessment study that was undertaken after 07.09.2017. To a specific request for submission of all expert committee reports pertaining to DSNP and its biodiversity, the Assam State Biodiversity Board clarified that such Reports, if any, were available only with the Wildlife Wing of the Assam Forest Department, which administers the DSNP and the biological diversity contained therein under the Wildlife Protection Act, 1972. The statement of the Assam State Biodiversity Board, thus implies in clear terms that Assam State Biodiversity Board was not approached by OIL to carry out a Biodiversity Impact Assessment. In fact, OIL, in their reply to the Committee's query has stated to have engaged the Institute of Advanced Study in Science & Technology to prepare Biodiversity Impact Assessment study. It is not clarified by OIL whether they had informed the Hon'ble Supreme Court before making such deviations. In any case, as on date, there appears to be no such Biodiversity Impact Assessment study, either prepared by the Assam State Biodiversity Board or any other agency engaged by OIL, on record, till date.

The OIL thereby had contravened the provisions Environment (Protection) Act, 1986 and the Environment Impact Assessment (EIA) Notification, 2006 under which it is mandatory to obtain EC for any offshore drilling projects before commencement of activities on 20.11.2006."

12. With regard to assessment of damages and interim measures after noting the extent of damage and impact in the environment, it was observed:-

"The Committee is, however, of the unanimous view, that it is necessary to set up/induct a multidisciplinary team comprising of community members along with experts on wetland ecology, hydrology, fisheries, water birds' specialists and others who will report to the Committee and will be responsible to formulate a restoration plan for the Maguri-Motapung wetland and also to ascertain the extent of damages and the compensation to be fixed for that purpose. The Committee, in its subsequent report shall make necessary recommendations for payment of compensation by the Pollutor for restoration of the damages caused to the eco-system."



13. The recommendations on this aspect are:-

*“Based on the above discussion, the Committee recommends the following:*

- (i) *An initial amount of Rs.25 Lacs will be released immediately to all the affected under category (i) whose information is already available with the Office of the District Administration. For the affected families under category, (ii) the amount of 10 lacs will be released immediately within an outer limit of 15 days, based on the information already available with the Office of the District Administration. The compensation amount, if any already paid, shall be deducted from the aforesaid amount of interim compensation.*
- (ii) *The Office of the District Administration will compile a list of all those in Category (iii), who have been moderately / partially impacted, in consultation with the revenue officers, PWD, concerned circle officer, the Gaonburahs and community representatives of the affected villages. The disbursement of the amount will be completed expeditiously within an outer limit of 45 days from the passing of the order by the Hon'ble NGT for interim compensation.*
- (iii) *The affected families, particularly under category (i) and (ii), whose names have been left out of the list would be entitled to the said amount after due verification within 7 days from the passing of the order by the Hon'ble NGT for interim compensation and the same will be disbursed within 15 days from the date of completion of the verification.*
- (iv) *The interim compensation will be paid by OIL and from the funds which have already been made available to the Office of the District Administration. The balance amount, if any, will be made available immediately by OIL and as and when asked by the Office of the District Administration.*
- (v) *One-time compensation amounting to Rs.30,000/- that has been agreed to be paid by OIL to the affected families, who had moved to the relief camps due to Well Baghjan-5 blowout on 27.05.2020, as an immediate relief, will be disbursed immediately as per the list prepared by the circle officer, Doomdooma and available with the Office of the District Administration and not later than 7 days from the passing of the order by the Hon'ble NGT for interim compensation. The affected families whose names have been left out of the list would be entitled to the said amount after due verification and the same will be disbursed within 15 days from the passing of the order by the Hon'ble NGT for interim compensation.*
- (vi) *One-time compensation of Rs.25,000/- will be disbursed to each of the affected families and individuals who had shifted to the relief camps in the wake of the explosion in Well Baghjan-5 on 09.06.2020 as an immediate relief as per the list prepared by the Circle officer, Doomdooma and available*



with the Office of the District Administration and not later than 7 days from the passing of the order by the Hon'ble NGT for interim compensation. The affected families whose names have been left out of the list would be entitled to the said amount after due verification and the same will be disbursed within 15 days from the passing of the order by the Hon'ble NGT for interim compensation.

- (vii) The interim compensation as well as the one time compensation, as stated above, will be credited directly to the bank accounts of the affected families and individuals by the Office of the District Administration. The said interim compensation is non-recoverable and will be adjusted against the final compensation due to the affected families and individuals.
- (viii) An immediate health insurance policy including COVID 19 will be made available by OIL to all affected individuals and families by the Well Baghjan-5 blowout and explosion and who are presently taking shelter in the relief camps within 7 days from the passing of the order by the Hon'ble NGT for interim compensation."

14. Finally the conclusions of the Committee are:-

"Based on the preliminary assessment, the Committee has arrived the following preliminary findings, which are subject to further consideration by the Committee. In the interim, the Committee is also of the unanimous view that the well Baghjan-5 blowout and subsequent explosion has led to extensive damage to both the publicly owned resources including the Maguri-Motapung wetland, DSNP, the eco sensitive zone including the water bodies, air, wildlife and the natural resources surrounding it. Additionally, it has caused irreparable physical harm and damage to privately owned property of the survivors in the affected villages. The Committee therefore concludes the preliminary report with suggested interim measure including compensation for the affected families and individuals.

**Preliminary Inferences**

I. The probable reasons of Well Baghjan-5 blowout and explosion are as under:

- a. There was deficiency in understanding of the gravity of a critical operation like removal of BOP without having a confirmed and tested secondary safety barrier.
- b. There was deficiency in proper planning of critical operations. There was a clear mismatch between planning and its execution at site and deviations from the Standard Operating Procedure.
- c. There were serious deficiencies of proper level of supervision of critical operation at the well site both from the Contractor as well as from OIL.

II. OIL did not have the mandatory Consent to Establish and Consent to Operate both under the Section 25 & 26 of the Water (Prevention &



Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention & Control of Pollution) Act and the Rules framed thereunder, when it first started its drilling operations in Well Baghjan-5 in 2006.

III. On the day of the blowout of Well Baghjan-5 i.e. 27.05.2020 and subsequent explosion on 09.06.2020, OIL did not have the mandatory Consent to Establish and Consent to Operate both under Section 25 & 26 of the Water (Prevention & Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention & Control of Pollution) Act and the Rules framed thereunder and/or the authorization Rule 6 of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2016.

VI. OIL, till date, does not have the required Consent to Establish and/or Consent to Operate to either carry our drilling and testing of hydrocarbons in Well Baghjan-5 under the DSNP Area, except for the years 2008-09, 2012-13, 2018-19, under Section 25 & 26 of the Water (Prevention & Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention & Control of Pollution) Act and the Rules framed thereunder and/or the authorization required Rule 6 of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2016 which is in clear violation of the conditions stipulated in the Environmental Clearance dated 11.05.2020.

**Preliminary Interim Measures**

**I. Immediate Preventive Measures to Avoid Similar Blowout and Explosions**

- (i) It is pertinent to note that the handling of Gas wells is different than Oil wells. Therefore, it is necessary to have different SOP for Gas wells.
- (ii) Isolation of any Hydrocarbon bearing Zone by a secondary barrier is critical and ought to be planned carefully. Such well situation cannot be relied upon only on Hydrostatic Head of well Fluid. There ought to be proper secondary safety barrier, which are tested both positively and negatively to check its integrity before attending any critical operation in the well like nipple down of BOP.
- (iii) Placement of secondary safety barrier must be placed as near to the perforated zone and should not placed anywhere in the well.
- (iv) Placement of Cement Plug is to be always done in the vertical portion of Casing. If required to place Cement Plug in a deviated well, either a perforated Tubing/ Drill pipe shoe is to be used and the string ought to be rotated during placement of cement slurry by using swivel joint or use the swivel joint with Kelly of the Rig. After balancing the Plug, the string needs to be pulled out slowly and while breaking the joints, Rotary is to be used to break the joint which will help cement slurry to spill all around and also to fall smoothly from inside string.



- (v) It is important to design Cement Slurry with water loss additive to control water loss from cement slurry to bare minimum during setting of cement. Retarder may also be added to get the desired thickening time. Compressive Strength of the designed slurry are to be tested at 12hours, 24 hours and 36 hours.
- (vi) Before doing any critical operation in well, a comprehensive contingency Plan must be made available to face any eventuality. In this particular well due to not having any such Plan.

**II. Restoration Plan for Maguri-Motapung Wetland**

1. The Committee is of the unanimous view, that it is necessary to set up/induct a multidisciplinary team comprising of community members along with experts on wetland ecology, hydrology, fisheries, water birds' specialists and others who will report to the Committee and will be responsible to formulate a restoration plan for the Maguri-Motapung wetland and also to ascertain the extent of damages and the compensation to be fixed for that purpose. The Committee, in its subsequent report shall make necessary recommendations for payment of compensation by the Pollutor for restoration of the damages caused to the eco-system.

**III. Health Safeguards in Relief Camps**

1. It is specifically recommended that regular screening for COVID is conducted and as and when necessary. It is further recommended that adequate number of relief camps with adequate health and sanitation facilities be set up by the Office of the District Administration together with OIL, in conformity with the COVID-19 guidelines issued by the WHO, Government of India and Government of Assam. Furthermore, it is specifically recommended that all individuals presently being accommodated in the relief camps be provided with immediate health safeguards, including insurance cover for COVID 19.

**IV. Interim Compensation to the affected families**

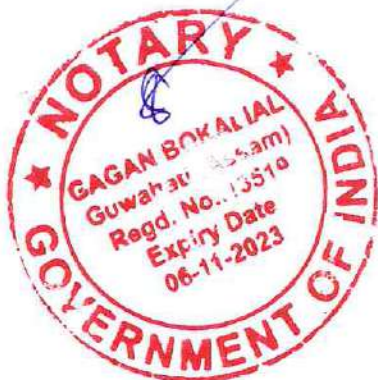
- 1. The Committee, proposes the formulation of three categories of affected families to assess the question of interim compensation namely ;
  - (i) Those whose houses have been completely gutted by the fire thereby causing grave injury to life and health, loss of livelihood, cultivable land, livestock, damage to standing crops and horticulture, fisheries etc.
  - (ii) Those whose houses have been severely damaged thereby causing grave injury to life and health, loss of livelihood, cultivable land, livestock, damage to standing crops and horticulture, fisheries etc.
  - (iii) Those whose houses have been moderately/partially damaged or whose standing crops and horticulture have been partially damaged thereby causing injury to life and health, loss of livelihood, cultivable land, livestock, damaged to fisheries etc.



(iv) The scale of interim compensation is as follows :

Category (i) Rs. 25 Lacs  
Category (ii) Rs. 10 Lacs  
Category (iii) Rs. 2.5 Lacs

2. An initial amount of Rs.25 Lacs will be released immediately to all the affected under category (i) whose information is already available with the Office of the District Administration. For the affected families under category, (ii) the amount of 10 lacs will be released immediately within an outer limit of 15 days, based on the information already available with the Office of the District Administration. The compensation amount, if any already paid, shall be deducted from the aforesaid amount of interim compensation.
3. The Office of the District Administration will compile a list of all those in Category (iii), who have been moderately / partially impacted, in consultation with the revenue officers, PWD, concerned circle officer, the Gaonburahs and community representatives of the affected villages. The disbursement of the amount will be completed expeditiously within an outer limit of 45 days from the passing of the order by the Hon'ble NGT for interim compensation.
4. The affected families, particularly under category (i) and (ii), whose names have been left out of the list would be entitled to the said amount after due verification within 7 days from the passing of the order by the Hon'ble NGT for interim compensation and the same will be disbursed within 15 days from the date of completion of the verification.
5. The interim compensation will be paid by OIL and from the funds which have already been made available to the Office of the District Administration. The balance amount, if any, will be made available immediately by OIL and as and when asked by the Office of the District Administration.
6. One-time compensation amounting to Rs.30,000/- that has been agreed to be paid by OIL to the affected families, who had moved to the relief camps due to Well Baghjan-5 blowout on 27.05.2020, as an immediate relief, will be disbursed immediately as per the list prepared by the circle officer, Doomdooma and available with the Office of the District Administration and not later than 7 days from the passing of the order by the Hon'ble NGT for interim compensation. The affected families whose names have been left out of the list would be entitled to the said amount after due verification and the same will be disbursed within 15 days from the passing of the order by the Hon'ble NGT for interim compensation.
7. One-time compensation of Rs.25,000/- will be disbursed to each of the affected families and individuals who had shifted to the relief camps in the wake of the explosion in Well Baghjan-5 on 09.06.2020 as an immediate relief as per the list prepared by the Circle officer, Doomdooma and available with the Office of the District Administration and



*not later than 7 days from the passing of the order by the Hon'ble NGT for interim compensation. The affected families whose names have been left out of the list would be entitled to the said amount after due verification and the same will be disbursed within 15 days from the passing of the order by the Hon'ble NGT for interim compensation.*

8. *The interim compensation as well as the one time compensation, as stated above, will be credited directly to the bank accounts of the affected families and individuals by the Office of the District Administration. The said interim compensation is non-recoverable and will be adjusted against the final compensation due to the affected families and individuals.*
9. *An immediate health insurance policy including COVID 19 will be made available by OIL to all affected individuals and families by the Well Baghjan-5 blowout and explosion and who are presently taking shelter in the relief camps within 7 days from the passing of the order by the Hon'ble NGT for interim compensation."*

15. We may now refer to the objections filed by the OIL to the report of the Committee. It is submitted that the observations of the Committee are based on review of secondary data which needs to be further verified. No site visit was undertaken. Statements of Sri Niranta Gohain, a so-called environmentalist are not credible. Report of the Wildlife Institute of India (WWI) is based on post blowout incident. The OIL follows all safeguards and SoPs and has employed experienced contractuals. But the said contractor violated the laid down procedures. The Consent to Establish (CTE) and Consent to Operate (CTO) were taken by composite application as per practice being followed. EC was not required at the time operations of OIL commenced as the project value was less than Rs. 50 crores. Contribution of Polycyclic Aromatic Hydrocarbons (PAH) is from tea gardens, forest land and insecticides/pesticides. With regard to environmental impact, it is stated that damage is on account of agricultural activities or other reasons in the area. With regard to harm to the individuals, it is stated that 9000 persons have been accommodated in 12 relief camps and arrangement has been made for the food and other needs. On situations improving, stabilized people are



leaving the camps. As on 22.07.2020, approximately 5758 number of occupants are camped in 7 relief camps. Expenditure incurred by the OIL is said to be Rs. 151 crores which includes Rs. 22.38 crores towards rehabilitation and compensation to the affected families as follows:

- Rs. 9 crores one-time compensation took to the 3000 families in relief camps.
- Rs. 2.20 crores paid to 11 families whose houses were burnt @ Rs. 20 lakhs per family.
- Rs. 11.17 crores for running relief camps upto 23.07.2020.

16. The Committee has made three categories of persons entitled to interim compensation and has suggested the scale of such compensation as follows:

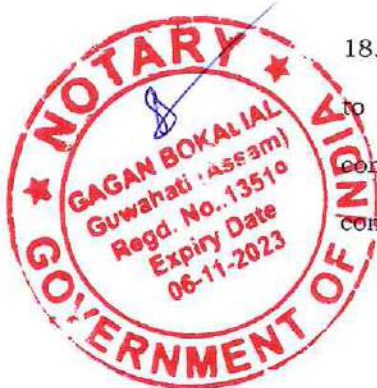
- “(i) whose houses have been completely gutted by the fire;*
- (ii) whose houses have been severely damaged;*
- (iii) whose houses have been moderately/partially damaged or whose standing crops and horticulture have been partially damaged.*

*The scale of interim compensation is as follows:*

- Category (i) – Rs.25 Lacs*
- Category (ii) – Rs.10 Lacs and*
- Category(iii) – Rs.2.5 Lacs”*

17. According to the OIL, compensation has already been paid to persons covered by category (i) @ Rs. 20 lakhs per family. The other two categories have not been identified. Additional compensation for category (i) is also not justified.

18. We have given due consideration to the objections. We are unable to accept the same at this stage for prima facie view and interim compensation. The recommendations of the Committee on the subject of compensation for three categories of victims are accepted with the



clarification that the compensation already paid will be taken into account and excluded from the interim compensation recommended by the Committee. Compensation to victims of categories (ii) and (iii) will be subject to identification by the District Administration which may be completed preferably within one month. We request the Assam State Legal Services Authority to oversee the process.

19. We also accept the recommendation for interim compensation to the families who have moved out of the relief camps after the blowout of 27.05.2020 and to the families who have shifted to the relief camps after explosion on 09.06.2020.

20. The disbursement may be made through the District Administration by deposit to the bank accounts of the affected families which may also be overseen by the State Legal Services Authority.

21. The amount calculated and quantified by the District Magistrate may be made available by the OIL within two weeks of letter of the District Magistrate.

22. Other interim recommendations may be complied to the extent there is no dispute, subject to call being taken by concerned statutory authorities and finally by this Tribunal on the next date.

The Committee may give its final report before the next date by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF.

A copy of this order be sent to Justice B.P. Katakey, former Judge of the Gauhati High Court, the Chief Secretary, Assam, MoEF&CC,



Member Secretary, Assam State Legal Services Authority and District  
Magistrate, Tinsukia by e-mail.

List again on 03.11.2020.

Adarsh Kumar Goel, CP

S. P. Wangdi, JM

Dr. Nagin Nanda, EM

August 06, 2020  
Original Application No. 43/2020(EZ) &  
Original Application No. 44/2020(EZ)  
A & DV



To,  
The Hon'ble Justice Mr. Adarsh Kumar Goel, Chairperson  
The Hon'ble Justice Mr. S.P. Wangdi, Judicial Member  
The Hon'ble Dr. Satyawan Singh Garbyal, Expert Member  
Principal Bench  
National Green Tribunal,  
New Delhi.

Date: 06/09/2020

[ Subject: Compensation for Baghjan victims as stated in the Hon'ble NGT's order in the cases, I.A. No. 30 and I.A. No. 31 in Original Application No. 43/2020 (EZ)]

Respected Sirs,

Greetings ! We submitted a memorandum to the Deputy Commissioner of Tinsukia, who is also a part of the Expert Committee constituted by your lordships, on August 4, 2020 and September 4, 2020 related to 62 families of Natun Rangagora village affected by a blowout and a subsequent fire from an oil and gas rig in Baghjan village in Tinsukia district of Assam. In these memorandum we had stated that the aforementioned families had been mysteriously left out from the list of affected families that received Rs. 25,000 as one-time compensation and we requested Hon'ble Deputy Commissioner of Tinsukia to investigate the issues related to the compensation.

On August 6, 2020, your lordships passed an order related to the blowout and the subsequent fire at the oil and gas rig in Baghjan. According to the order of the Hon'ble NGT, persons affected in the Baghjan blowout case who had received one-time compensation of Rs. 25,000 to Rs. 30,000 would receive 25 lakhs/10 lakhs/ 2.5 lakhs from Tinsukia District Administration as interim compensation within seven days from the NGT order. Your lordships also ordered that those names which were not included in the list of the affected persons getting Rs. 25,000 to Rs. 30,000 as compensation should be verified and compensation amount should be released to them within 15 days since NGT order was passed.

However, even after a month since the order was passed the aforementioned affected families have not received any response from the Tinsukia District Administration. Keeping these issues in mind, we request your lordships to respond towards the plight of the affected persons.

Kindly note that we have attached the previous memorandums to the Deputy Commissioner along with this memorandum.

Thanking you,

Yours sincerely,

On behalf of all the applicants

- ① Sri Satyabrata Senapati
- ② Sri Toehil Borz Patra
- ③ সুনীল শাস্ত্রী (সিএস-১২)
- ④ ইন্দ্রজিৎ মল্ল
- ⑤ জিহুল গগৈ





ऑयल इंडिया लिमिटेड  
(भारत सरकार का उद्योग)  
**OIL INDIA LIMITED**  
(A Government of India Enterprise)

दुलियाजान - 786 602, असम, भारत  
रजिस्टर्ड ऑफिस : दुलियाजान  
DULIAJAN - 786 602, ASSAM, INDIA  
REGISTERED OFFICE : DULIAJAN

ANNEXURE - J

TEL : 0374-280303  
FAX : +91-374-2800433  
E-mail : prasantaborkakoti@oilindia.

-117-

Ref No.: ED(HR&A)/63(T)/213

Date: 02.11.2020

Deputy Commissioner  
Tinsukia District  
Tinsukia

Sub: Compensation due to Baghjan Blowout

Sir,

We write with reference to an application dated 30.10.2020 received from Shri Niranta Gohain owner of Dibru Saikhowa Eco Camp, Village - Natun Rangagorah, District - Tinsukia. The content of the application is self explanatory.

2.0 We request you to kindly arrange for a survey by the assessment committee constituted vide letter no. TRF.3/2017-19/Pt-1/159 dated 03.06.2020 to assess the extent of damage caused and kindly send us a report for our needful action.

Thanking you,

Yours faithfully,  
OIL INDIA LIMITED

*Prasanta Borkakoty*

(Prasanta Borkakoty)

Executive Director (HR&A)

Encl.: As above

Copy: Shri Niranta Gohain  
Natun Rangagorah  
Dist.: Tinsukia



GOVERNMENT OF ASSAM  
OFFICE OF THE DEPUTY COMMISSIONER ::: DISTRICT ::: TINSUKIA  
(RELIEF AND DISASTER MANAGEMENT BRANCH)

No. TRF-3/2017-18/Pt-II/178

Dated Tinsukia the 5<sup>th</sup> August/2021

To

The Circle Officer  
Tinsukia Revenue Circle

Sub: Regarding petition of Sri Niranta Gohain, Natun Rongagorah Gaon for compensation due to Baghjan Blow out.

Ref: 1.No.TRF.3/2017-19/Pt-II Dated 4<sup>th</sup> December'2020  
2. OIL Ref. letter No.ED(HR&A)/63(T)/213 Dated 2.11.2020

Sir,

With reference to the subject cited above, I would like to inform you that the letter under reference and OIL Ref. letter No.ED(HR&A)/63(T)/213 Dated 2.11.2020 regarding survey report for compensation due to Baghjan Blow. No survey report have been received till date from your end.

You are therefore requested to submit the same to the undersigned at an early.

This is for favour of your kind information and necessary action.

Enclo: As stated above.

Yours faithfully,

  
Addl. Deputy Commissioner  
Rev & DM Branch


Tinsukia

Dated Tinsukia the 5<sup>th</sup> August/2021

Memo.No. TRF-3/2017-18/Pt-II/178 - A

Copy to: 1. Sri Niranta Gohain, Natun Rongagorah Gaon for information.



  
Addl. Deputy Commissioner  
Rev & DM Branch

Tinsukia

To,  
The Circle Officer,  
Tinsukia Revenue Circle,  
Tinsukia.  
Date: 27/10/2021

Sub: Regarding the letter of Addl. Deputy Commissioner, Rev & DM Branch, Tinsukia for compensation due to Baghjan Blowout.

Ref. No. TRF-3/2017-18/Pt-II/178 Dated 5<sup>th</sup> August/2021

Sir,

A letter sent to you by ADC, Rev & DM Branch, Tinsukia on 05/08/2021 Memo.No. TRF-3/2017-18/Pt-II/178 Dated. 5<sup>th</sup> August/2021 and a copy was also forwarded to me where the survey report about my compensation regarding the Baghjan Blowout was sought. I have contacted the Deputy Commissioner's Office and found out that you have not submitted the said report.

I pray to you to submit the report as soon as possible.

Thanking you.



Your faithfully,

*Niranta Gohain*  
27.10.21

(Niranta Gohain)

Natun Rangagora Gaon,

P.O: Rangagora- 786147, Tinsukia

Mobile No: 9954791573

Mail ID: gohainniranta@gmail.com



Ref No:RCE:03-351

Date: 02.12.2020

Deputy Commissioner  
Tinsukia District  
Tinsukia

Sub: Interim compensation to the affected families of Bhagjan Blowout

Ref: Your letter no. TRF.3/2017-19/PT-II/422 dated 01.12.2020

Sir,

We write with reference to the above and would like to state that the total amount deposited in the office of Deputy Commissioner, Tinsukia towards payment of compensation is Rs. 90.796 crores.

2.1 Out of which, as per your above referred letter, an amount of Rs. 28.25 crores has been paid to various groups. Therefore, the net amount available is Rs. 62.546 crores. However, as per your above referred letter, the total fund requirement towards payment of interim compensation to the 600 affected families of Bhagjan involves a total amount of Rs. 68.05 crores.

The break-up is as under:

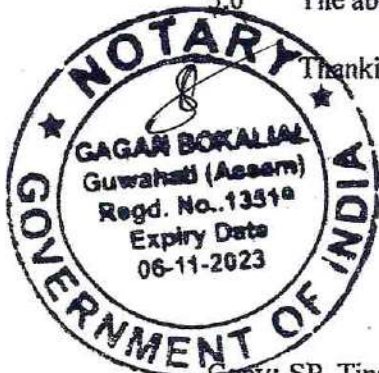
- i) Category A: Rs. 15.00 lakhs x 161 families = Rs. 24.15 crores
- ii) Category B: Rs. 10.00 lakhs x 439 families = Rs. 43.90 crores

3.0 In the meanwhile, we are trying to arrange supplementary fund for payment of compensation to the other fringe groups under a separate head and would request you to earmark Rs. 62.546 crores presently available, for payment of interim compensation to the 600 affected families of Bhagjan.

4.0 We are also arranging to remit the remaining amount of Rs. 5.504 crores separately and would request you to arrange for disbursement of compensation to the 600 affected families of Bhagjan as per the requested terms of references mentioned vide letter no. ED(HR&A)/63(T)/234 dated 02.12.2020.

5.0 The above is for your kind information and needful action please.

Thanking you,



Copy: SP, Tinsukia  
NOCC: ED(HR&A)



Yours faithfully,  
OIL INDIA LIMITED  
Sd??

(Dilip Kr D  
Resident Chief Executive

Item No. 1

Court No. 1

**BEFORE THE NATIONAL GREEN TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI**

(By Video Conferencing)

Original Application No. 43/2020(EZ)

Bonani Kakkar

Applicant

Versus

Oil India Limited &amp; Ors.

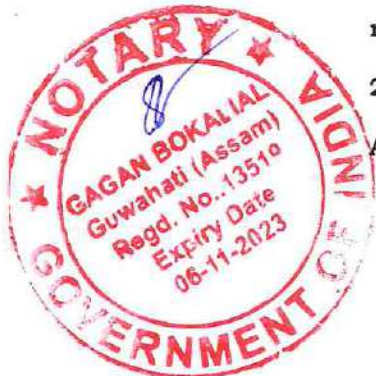
Respondent(s)

Date of hearing: 15.02.2021

Date of uploading the order: 19.02.2021

**CORAM: HON'BLE MR. JUSTICE ADARSH KUMAR GOEL, CHAIRPERSON  
HON'BLE MR. JUSTICE SHEO KUMAR SINGH, JUDICIAL MEMBER  
HON'BLE DR. NAGIN NANDA, EXPERT MEMBER****ORDER**

1. **The issue** for consideration in these matters is the remedial steps for restoration of the environment and compensation to the victims on account of damage resulting from the incident of **oil blowout** on 27.05.2020 from the oil well belonging to the Oil India Limited (OIL) which released huge amount of toxic gases and, other consequential events, including fire incident 09.06.2020 that followed, at Baghjan in Tinsukia District of Assam. The fire was finally put off on 15.11.2020, after almost six months and well killing operations were successfully completed on 03.12.2020, after six months, as per version of the OIL filed before this Tribunal on 16.12.2020. Adverse impact of the incident on human beings and environment was large. **As per affidavit dated 27.07.2020 filed by the OIL, more than 9000 persons were displaced and sheltered in 12 relief camps, (with 750 persons in each), 10 camps immediately after 27.05.2020 incident and 02 camps added after 09.06.2020 incident.** As on 22.07.2020, 07 camps were still continuing with 5758



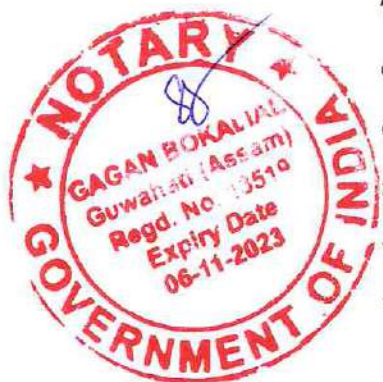
occupants. 3000 affected families were paid Rs. 30,000/- each as one-time compensation, apart from the compensation of Rs. 20 lakhs each to 11 families whose houses were burnt. A sum of Rs. 11.17 crores was spent on the relief camps as on 23.07.2020. According to the OIL, more than Rs. 151 crores was required towards operational cost for controlling the blowout. By a subsequent letter dated 02.12.2020, the OIL has accepted its liability to pay Rs. 68.05 cores further amount to 600 affected families (Rs. 15 lakhs each to 161 families where damage to the houses is total and Rs. 10 lakhs each to 439 families where damage to the houses is severe). OIL has proposed to the District Collector, Tinsukia that it will pay compensation of Rs. 50,000/- each to 612 families who have left the camp for rental, accommodation, food and other facilities, as stated in the report dated 10.12.2020 of the Committee appointed by this Tribunal (paras 4 and 5). A sum of Rs. 90.796 crore stands deposited by the OIL with the District Collector.

2. The Tribunal considered the matter first on 24.06.2020 and noted the version of the applicants that blowout resulted in damage to bamboo groves, tea gardens, banana trees and betel nut trees in the area and also spread into the Dibru-Saikhowa National Park which, according to the Applicant, records over 40 mammals, 500 species of birds, 104 fish species, 105 butterfly species and 680 types of plants including a wide variety of rare orchids. The area harbours tiger, elephant, wild buffalo, leopard, hoolock gibbon, capped langur, slow loris, Gangetic dolphin, besides critically endangered bird species such as the Bengal Florican, White Winged Duck, Greater Adjutant stork, White rumped vulture, slender billed vulture as well as the rare and endemic Black-breasted parrotbill. The oil also spilled into the Dibru river causing a film of oil in



the river that passes through the Maguri-Motapung wetlands, an Important Bird and Biodiversity Area, and along the Dibru Saikhowa National Park. The Maguri-Motapung Wetland, located less than 10 km from Dibru-Saikhowa National Park, is a part of the Dibru-Saikhowa Biosphere Reserve (DSBR) and hosts some of the most vulnerable species of birds such as Swamp Francolin, Marsh Babbler, Greater Adjutant and Pallas's Fish-eagle, Red-headed Vulture and White-bellied Heron, and over 80 species of fish. River Dibru is a tributary of River Lohit which then forms river Brahmaputra in the lower reaches. Brahmaputra river system is also a home to Gangetic dolphins. As a result of the blowout, there was also a fire on 09.06.2020. The applicant has also stated that the blowout has left behind huge volumes of residue as gas condensate which is a mixture of chemical compounds that are toxic for land and vegetation and is a known carcinogen. The blowout is not only hazardous to the health of the people but also severely affect their livelihood whose occupation is mainly agriculture, fishing and animal rearing. **1610 families were displaced as a result of the gas leak.**

3. With a view to obtain an authentic independent version, while issuing notice to the OIL, **the Tribunal constituted eight-member Committee headed by a former Judge of Gauhati High Court with representatives from CPCB, CSIR, Guwahati University, State Biodiversity Board, ONGCL, State PCB and the District Magistrate, Tinsukia District** with liberty to the Committee to co-opt any other expert or institution. The mandate of the Committee was **to ascertain the cause of the incident, persons responsible for the incident and for the failure to prevent the same, extent of damage to the human life, wildlife, Dibru-Saikhowa National Park (DSNP), the Maguri-Motapung Wetland (MMW), assessment of proposed compensation to the victims**

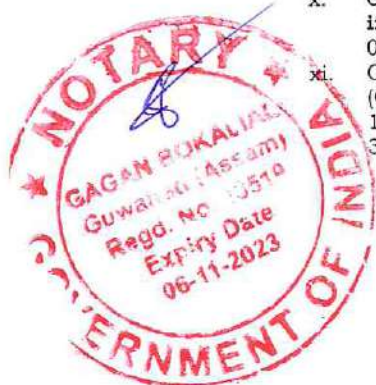


and for restitution of the property and the environment, remedial measures, including steps to prevent recurrence.

### Other Recent Industrial accidents causing deaths/injuries/environment damage

4. The Tribunal has in the recent past come across several cases of industrial accidents<sup>1</sup>, mostly on account of deficiency in following safety

- i. Order dated 01.06.2020, relating to incident of gas leak dated 07.05.2020 in **LG Polymers India Pvt. Limited** at Vishakhapatnam, resulting in death of 11 persons and injuries to more than 100, apart from other damage (OA No. 73/2020, In re: Gas Leak at LG Polymers Chemical Plant in RR Venkatapuram Village Visakhapatnam in Andhra Pradesh);
- ii. Order dated 03.02.2021, relating to incident dated 03.06.2020 in a chemical factory, **Yashyashvi Rasayan Pvt. Ltd.** at Dahej, District Bharuch, Gujarat resulting in deaths and injuries and other damage (OA No. 85/2020) (Earlier OA 22/2020) (WZ), Aryavart Foundation through its President vs. Yashyashvi Rasayan Pvt. Ltd. & Anr.);
- iii. Orders dated 06.07.2020 and 22.12.2020, relating to incident dated 30.06.2020 on account of gas leakage at **Sainor Life Sciences** factory at Parawada in industrial area on the outskirts of Vishakhapatnam (OA No. 106/2020, News item published in the local daily "Economic Times" dated 30.06.2020 titled "Another Gas Leakage at Vizag Factory kills two, critically injures four...");
- iv. Orders dated 08.07.2020 and 22.12.2020, dealing with the incident dated 01.07.2020 resulting in death of 6 person and injury to 17 due to blast of boiler in **M/s Neyveli Thermal Power Station** (NLCIL), Cuddalore (OA No. 108/2020, News item published in the "Indian Express" dated 01.07.2020 titled "Tamil Nadu Neyveli boiler blast: 6 dead, 17 injured") and;
- v. Orders dated 23.07.2020 and 22.12.2020, in relation to incident of **fire engulfed the chemical plant of Visakha Solvents Ltd.**, Vizag on 13.07.2020 at Ramky CETP Solvents building in Pharma City resulting in injuries (OA No. 134/2020, News item published on 13.07.2020 in the local daily named "India Today" titled "Massive fire engulf Vizag chemical plant, explosions heard, injuries reported").
- vi. Order dated **18.12.2020**, in relation to incident of **explosion in a plastic recycling factory at Sujapur in Malda on 1.12.2020** resulting in death of six persons, including two minors and serious injuries to four persons (OA No. 272/2020, News item published in the "Times of India" dated 20.11.2020 entitled "Six killed as blast tears through Malda Plastic recycling factory").
- vii. Order dated **18.12.2020**, in relation to incident of **methane gas leak in a sugar factory** called Lokenete Bapurao Patil Agro Industries Ltd. in Mohol Taluka of Solapur District, Maharashtra on 21.11.2020 resulting in deaths and injuries and other damage (OA No. 274/2020, News item published in the "Indian Express" dated 23.11.2020 entitled "Maharashtra: Two Killed, eight injured in methane gas leak in sugar factory").
- viii. Order dated 08.01.2021, in relation to **Gas Leak in Agro Company** (O.A No. 107/2020, In RE: News item published in the local daily "Indian Express Sunday Express" dated 28.06.2020 titled "Gas Leak in Agro Company Claims life of one")
- ix. Order dated 18.01.2021, in relation to News item published in Navbharat Times dated 24.12.2020 titled "**Gas leaks in IFFCO Plant, 2 Officers dead**" (O.A No. 04/2020, In re : News item published in Navbharat Times dated 24.12.2020 titled "Gas leaks in IFFCO Plant, 2 Officers dead")
- x. Order dated **11.02.2021**, in relation to accident of **toxic gas leak in Rourkela Steel Plant in Orissa**" (O.A. No. 09/2021, In re: News item published in The Indian Express dated 07.01.2021 titled "Four workers dead due to toxic gas leak in Rourkela Steel Plant")
- xi. Order dated **16.02.2021**, in relation to accident of **Virudhunagar firecracker factory blast** (O.A. No. 44/2021, In re: News item published in The News Indian Express dated 12.02.2021 titled "At least 19 dead in Virudhunagar firecracker factory blast, more than 30 injured")

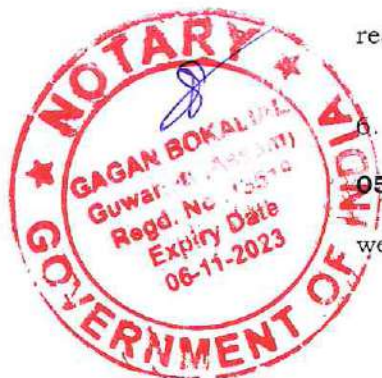


protocols. The Tribunal, after securing factual reports has directed payment of compensation to the victims and taking of steps for restoration of environment, safety audits of establishments and measures to prevent recurrence. The present matter is also being handled on same pattern to the extent applicable to the facts.

**Preliminary report of the Committee dated 24.6.2020**

5. In pursuance of order dated 24.6.2020, which was slightly modified vide order dated 2.7.2020, the Committee gave its interim report dated 24.07.2020 to the effect that **there was failure of following the Standard Operating Procedures (SOPs) in operating the Blow Out Preventer (BOP), without testing secondary safety barrier and lack of proper supervision of the contractor as well as of the Company. The Company had not obtained requisite consents nor complied with the EC conditions which called for remedial action.** The Committee suggested preventive measures to avoid similar incidents in the form of **isolation of hydro carbon bearing zone, placement of secondary safety barrier, placement of cement plug, proper cement slurry design and preparation of contingency plan.** Damage to the DSNP and MMW was required to be assessed by setting up multi-disciplinary teams. Same course was required to be adopted for restoration plans. The Committee recommended scale of interim compensation in three categories of Rs. 25 lakhs, Rs. 10 lakhs and Rs. 2.5 lakhs to persons whose houses were completely demolished, severely damaged and partially damaged respectively.

6. According to **version of the OIL in the form of objections filed on 05.08.2020**, the contractor to execute the Work Over Operations as per well programme was M/s John Energy Limited (JEL). Installation manager



was the link between OIL and JEL. The contractor was to control and the prevent fire blowout. **The contractor nipped down BOP before completion of WOC period of 48 hours and gave that information only when the well became active. JEL did not inform nipping down of BOP and did not shut the well for control. Thus, failure was of Contractor and not OIL.** The OIL engaged Environment Resource Management (ERM) to assess damage to the biodiversity. Other organizations hired for study of impact on blowout are: The Energy Research Institute (TERI), Assam Agricultural University, CSIR-North East Institute of Science and Technology and Indian Institute of Technology (IIT), Guwahati. **Thus, restoration work is being undertaken. It had secured requisite consents and complied with the statutory norms.** State PCB issued closure notice on 19.06.2020 which was withdrawn on 23.06.2020 after considering the stand of the OIL. **It has discharged its responsibility of compensating the victims and the environment by taking necessary remedial measures.**

7. We reproduce below the extracts from the preliminary report of the Committee dated 24.07.2020:

*“Based on the preliminary assessment, the Committee has arrived the following preliminary findings, which are subject to further consideration by the Committee. In the interim, the Committee is also of the unanimous view that the well Baghjan-5 blowout and subsequent explosion has led to extensive damage to both the publicly owned resources including the Maguri-Motapung wetland, DSNP, the eco sensitive zone including the water bodies, air, wildlife and the natural resources surrounding it. Additionally, it has caused irreparable physical harm and damage to privately owned property of the survivors in the affected villages. The Committee therefore concludes the preliminary report with suggested interim measure including compensation for the affected families and individuals.*

**Preliminary Inferences**

I. *The probable reasons of Well Baghjan-5 blowout and explosion are as under:*



- a. There was deficiency in understanding of the gravity of a critical operation like removal of BOP without having a confirmed and tested secondary safety barrier.
- b. There was deficiency in proper planning of critical operations. There was a clear mismatch between planning and its execution at site and deviations from the Standard Operating Procedure.
- c. There were serious deficiencies of proper level of supervision of critical operation at the well site both from the Contractor as well as from OIL.

II. OIL did not have the mandatory Consent to Establish and Consent to Operate both under the Section 25 & 26 of the Water (Prevention & Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention & Control of Pollution) Act and the Ruled framed thereunder, when it first started its drilling operations in Well Baghjan-5 in 2006.

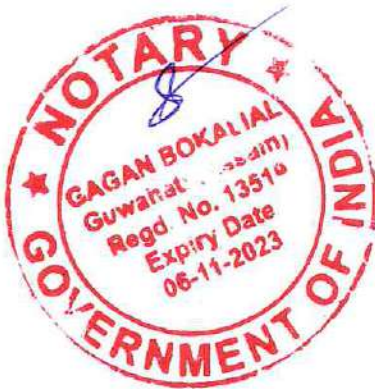
III. On the day of the blowout of Well Baghjan-5 i.e. 27.05.2020 and subsequent explosion on 09.06.2020, OIL did not have the mandatory Consent to Establish and Consent to Operate both under Section 25 & 26 of the Water (Prevention & Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention & Control of Pollution) Act and the Rules framed thereunder and/or the authorization Rule 6 of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2016.

VI. OIL, till date, does not have the required Consent to Establish and/or Consent to Operate to either carry our drilling and testing of hydrocarbons in Well Baghjan-5 under the DSNP Area, except for the years 2008-09, 2012-13, 2018-19, under Section 25 & 26 of the Water (Prevention & Control of Pollution) Act, 1974, under Section 21 of the Air (Prevention & Control of Pollution) Act and the Rules framed thereunder and/or the authorization required Rule 6 of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2016 which is in clear violation of the conditions stipulated in the Environmental Clearance dated 11.05.2020.

**Preliminary Interim Measures**

**I. Immediate Preventive Measures to Avoid Similar Blowout and Explosions**

- (i) It is pertinent to note that the handling of Gas wells is different than Oil wells. Therefore, it is necessary to have different SOP for Gas wells.
- (ii) Isolation of any Hydrocarbon bearing Zone by a secondary barrier is critical and ought to be planned carefully. Such well situation cannot be relied upon only on Hydrostatic Head of well Fluid. There ought to be proper secondary safety barrier, which are tested both positively and negatively to check its integrity before attending any critical operation in the well like nipple down of BOP.



- (iii) Placement of secondary safety barrier must be placed as near to the perforated zone and should not place anywhere in the well.
- (iv) Placement of Cement Plug is to be always done in the vertical portion of Casing. If required to place Cement Plug in a deviated well, either a perforated Tubing/ Drill pipe shoe is to be used and the string ought to be rotated during placement of cement slurry by using swivel joint or use the swivel joint with Kelly of the Rig. After balancing the Plug, the string needs to be pulled out slowly and while breaking the joints, Rotary is to be used to break the joint which will help cement slurry to spill all around and also to fall smoothly from inside string.
- (v) It is important to design Cement Slurry with water loss additive to control water loss from cement slurry to bare minimum during setting of cement. Retarder may also be added to get the desired thickening time. Compressive Strength of the designed slurry are to be tested at 12hours, 24 hours and 36 hours.
- (vi) Before doing any critical operation in well, a comprehensive contingency Plan must be made available to face any eventuality. In this particular well due to not having any such Plan.

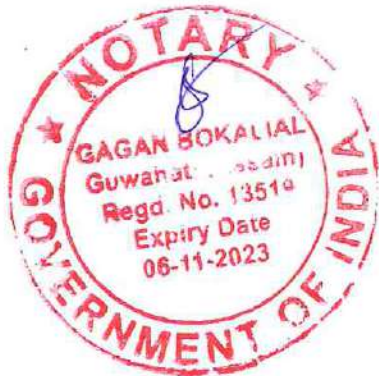
## II. Restoration Plan for Maguri-Motapung Wetland

1. The Committee is of the unanimous view, that **it is necessary to set up/induct a multidisciplinary team comprising of community members along with experts on wetland ecology, hydrology, fisheries, water birds' specialists and others who will report to the Committee and will be responsible to formulate a restoration plan for the Maguri-Motapung wetland and also to ascertain the extent of damages and the compensation to be fixed for that purpose.** The Committee, in its subsequent report shall make necessary recommendations for payment of compensation by the Pollutor for restoration of the damages caused to the eco-system.

## III. Health Safeguards in Relief Camps

1. It is specifically recommended that regular screening for COVID is conducted and as and when necessary. It is further recommended that adequate number of relief camps with adequate health and sanitation facilities be set up by the Office of the District Administration together with OIL, in conformity with the COVID-19 guidelines issued by the WHO, Government of India and Government of Assam. Furthermore, it is specifically recommended that all individuals presently being accommodated in the relief camps be provided with immediate health safeguards, including insurance cover for COVID 19.

## IV. Interim Compensation to the affected families



1. **The Committee, proposes the formulation of three categories of affected families to assess the question of interim compensation namely ;**

(i) **Those whose houses have been completely gutted by the fire thereby causing grave injury to life and health, loss of livelihood, cultivable land, livestock, damage to standing crops and horticulture, fisheries etc.**

(ii) **Those whose houses have been severely damaged thereby causing grave injury to life and health, loss of livelihood, cultivable land, livestock, damage to standing crops and horticulture, fisheries etc.**

(iii) **Those whose houses have been moderately/partially damaged or whose standing crops and horticulture have been partially damaged thereby causing injury to life and health, loss of livelihood, cultivable land, livestock, damaged to fisheries etc.**

(iv) **The scale of interim compensation is as follows :**

<b>Category (i)</b>	<b>Rs. 25 Lacs</b>
<b>Category (ii)</b>	<b>Rs. 10 Lacs</b>
<b>Category (iii)</b>	<b>Rs. 2.5 Lacs</b>

2. An initial amount of Rs.25 Lacs will be released immediately to all the affected under category (i) whose information is already available with the Office of the District Administration. For the affected families under category, (ii) the amount of 10 lacs will be released immediately within an outer limit of 15 days, based on the information already available with the Office of the District Administration. The compensation amount, if any already paid, shall be deducted from the aforesaid amount of interim compensation.

3. The Office of the District Administration will compile a list of all those in Category (iii), who have been moderately / partially impacted, in consultation with the revenue officers, PWD, concerned circle officer, the Gaonburahs and community representatives of the affected villages. The disbursement of the amount will be completed expeditiously within an outer limit of 45 days from the passing of the order by the Hon'ble NGT for interim compensation.

4. The affected families, particularly under category (i) and (ii), whose names have been left out of the list would be entitled to the said amount after due verification within 7 days from the passing of the order by the Hon'ble NGT for interim compensation and the same will be disbursed within 15 days from the date of completion of the verification.

5. The interim compensation will be paid by OIL and from the funds which have already been made available to the Office of the District Administration. The balance amount, if any, will be made available immediately by OIL and as and when asked by the Office of the District Administration.



6. One-time compensation amounting to Rs.30,000/- that has been agreed to be paid by OIL to the affected families, who had moved to the relief camps due to Well Baghjan-5 blowout on 27.05.2020, as an immediate relief, will be disbursed immediately as per the list prepared by the circle officer, Doomdooma and available with the Office of the District Administration and not later than 7 days from the passing of the order by the Hon'ble NGT for interim compensation. The affected families whose names have been left out of the list would be entitled to the said amount after due verification and the same will be disbursed within 15 days from the passing of the order by the Hon'ble NGT for interim compensation.

7. One-time compensation of Rs.25,000/- will be disbursed to each of the affected families and individuals who had shifted to the relief camps in the wake of the explosion in Well Baghjan-5 on 09.06.2020 as an immediate relief as per the list prepared by the Circle officer, Doomdooma and available with the Office of the District Administration and not later than 7 days from the passing of the order by the Hon'ble NGT for interim compensation. The affected families whose names have been left out of the list would be entitled to the said amount after due verification and the same will be disbursed within 15 days from the passing of the order by the Hon'ble NGT for interim compensation.

8. The interim compensation as well as the one time compensation, as stated above, will be credited directly to the bank accounts of the affected families and individuals by the Office of the District Administration. The said interim compensation is non-recoverable and will be adjusted against the final compensation due to the affected families and individuals.

9. An immediate health insurance policy including COVID 19 will be made available by OIL to all affected individuals and families by the Well Baghjan-5 blowout and explosion and who are presently taking shelter in the relief camps within 7 days from the passing of the order by the Hon'ble NGT for interim compensation.”

8. We now reproduce extracts from the objections dated 27.07.2020 filed on 12.02.2021 by the OIL to the above report:

“9. That it is pertinent to mention that Baghjan Field is located at a distance of approximately 70 KM from Digboi, Eastern Asset Field Office and Field Headquarters (FHQ), Duliagan. Baghjan is one of the main hydrocarbon producing fields within OIL India Ltd's operational area in Assam. Consequent upon the successful commercial discovery of crude oil at Location-TP (BGN#2) exploitation of hydrocarbon from the field was started from the year 2005. As the field was found to be highly prolific in nature, an Early Production Setup (EPS) was constructed in



year 2008 at the plinth of Location-TP for handling the produced crude. The EPS is designed for handling capacity of 2700 Kilo Liters Per Day (KLPD). So far, 31 Nos. of wells have been drilled in Baghjan Oilfield including 3 Water disposal wells. Out of which 21 wells are on regular production in Baghjan EPS. It is pertinent to mention herein that total of 31 wells were drilled including 3 wells as water disposal wells as on date. Out of the 28 wells drilled for hydrocarbon prospects, 05 wells including BGN#05 were completed as Gas wells and the remaining 23 wells were completed as OIL India Ltd wells. Currently out of these 28 wells, 05 wells are temporarily shut-in and 01 well is permanently abandoned. As such, prior to workover of BGN#5, 22 wells were on production. After blowout of BGN#5, 21 wells are in production with a total production of 1222 KLPD crude oil and approx. 1.77 MMSCMD natural gas.

10. The Baghjan Field has following infrastructure:
- i. Well plinths distributing 31 wells: 08
  - ii. Flowline Indirect Heaters for flow assurance of produced hydrocarbons: 10
  - iii. Production Installation (In full operation): 01
  - iv. Compressor Station (BOO) to process LP Gas: 01
  - v. VDP securities are deployed to guard Flowline Indirect Heaters
  - vi. AISF Security to carryout round the clock patrolling of well plinths to avoid miscreant activities

Furthermore, produced formation water is disposed safely as per statutory guidelines in 03 Nos. of Water Disposal Wells (WDW). Moreover, an Effluent Treatment Plant (ETP) of 1000 Kilo Litter capacity is planned in the proposed FGGS.

11. That the Well BGN#5 was Producing 88000 SCMD of gas with 29 KLPD condensate from 3870 m Langpar sand since September 2015. Geology & Reservoir Department anticipated that further production may lead to fast depletion of the reservoir pressure of the gas cap of BHN001 Block resulting in lesser recovery. The workover operation at BGN#5 well was proposed and accordingly Rig: CH#9 of M/s- John Energy Ltd was deployed to carry out the workover operation. The workover operation was carried out from 25.04.2020 and the initial objective was completed on 18.05.2020 as per workover program. But after the perforation when the well was about to divert to oil collection station, pressure rose in the casing side due to leakage from tubing side. So, it was decided to kill/subdue the well and again recompleted with same tubing. While well killing/ subduing, a pressure was observed at outer casing which may have come from



inner casing through a spool called Well Finish spool (WF spool). After the well was subdued/ killed (Sodium Format Solution is infused to cap well pressure), tubing was pulling out of hole. In between the WF spool was tested and was found leakage. Then it was decided to change the WF spool. Prior to changing of WF spool, it was decided to put a secondary barrier as cement plug of 100m in the Well. Accordingly, a program was made to carry out cement plug job as per the program on 26.05.2020. On 27.05.2020, the Operation for change of WF spool was taken up. However, the Well suddenly became very active and has resulted into a major blowout at around 10.30 AM, while workover operation was on, under service Contract by M/s John Energy Limited, Ahmedabad, Gujarat. However, there was no incident of any fire/injury/causality. District Authorities were immediately informed about the incident and were also requested for support including support for addressing any law and order situation that could arise.

12. That in pursuance thereof, Crisis Management Team (CMT)

members from ONGCL and an Expert Team from ONGCL, Vadodara, approached the well head taking all precautionary measures and opened the casing valve and started pumping water through the casing valve. Water is being pumped continuously through the valve into the Well head. In addition to that 7-8 nos. water monitor was placed for spraying of water through fire pump continuously to the cool wellhead. Besides, following arrangements were made to bring the well under control

- ▶ Creation of facilities for pumping water to the blowing well.
- ▶ Infrastructure arrangement for capping the well.
- ▶ Pumping of sufficient water through the well annulus to make the flowing gas wet, thereby reducing gas condensate spread to the nearby areas.
- ▶ Adequate water spraying through Fire Service pumps and nozzles/ monitors.
- ▶ Taking all adequate HSE measures.
- ▶ Continuous gas testing for LEL level around the well plinth area.
- ▶ Fabricate hydraulically operated mechanized structure at OIL's workshop for moving/placing Blow out Preventer (BOP) on the well head. The mock drill of the unit was done on 08.06.2020 at OIL's workshop.

In the meantime, OIL India Ltd has also contacted Global Expert to control the blowout. Accordingly, OIL India Ltd appointed 3 Global Experts in Well Control Operation from M/s Alert Disaster Control (Asia) Pte Ltd, Singapore and is working at the blow-out site since 08.06.2020.



13. That, unfortunately, the Blowout well caught fire at around 01.14 PM on 09.06.2020. That, after the Blowout Well caught fire at around 1.14 PM of 09.06.2020, the Experts' team from M/s ALERT, Singapore assessed the condition of the well at site in presence OIL India Ltd's team led by Directors of OIL India Ltd and ONGC CMT team. Immediately after the fire, there were violent protests around the well site by local villagers. Violent mob gathered around the site and threatened the Operating Personnel at site. Some vehicles were damaged. After receiving the information of the incident, DC and SP- Tinsukia District immediately rushed to the site along with Police Force.

14. That consequent upon the fire, Respondent Company along with the experts from ONGC and ALERT Team chalked out a new plan of action for controlling the well under fire. Important action plan to extinguish & control the well are as under:

- ▶ Heat shielding of the working areas by suitable means.
- ▶ To clear all debris and damaged rig package & equipment from site.
- ▶ Arrange water (4000 - 5000 GPM) and pumping infrastructure. Additional pumps are to be brought from ONGCL, Vadodara.
- ▶ Arrange adequate drilling mud and pumping infrastructure. Hired pumping units of M/s Schlumberger are mobilized from Barmer and Kakinada.
- ▶ Special tools and equipment's used for controlling wells under fire are being mobilized from various sources nationally and internationally.
- ▶ Arranging to cap the well by placing BOP with the help of special tools (Athey wagon) after creating a continuous water umbrella.
- ▶ Subdue the well by pumping drilling mud & kill the well immediately.
- ▶ Bring the well under control.

Above operations are being carried out under the direct instruction & supervision of the international well control expert from M/s ALERT Disaster Control (Asia) Pte Ltd, Singapore. However, incremental weather and flooding of the site on account of continuous rains for the last one month, besides obstructions by local people, have severely affected the pace of well control arrangements. However, inspite of various constraints, all efforts are being made to extinguish the fire and control the well in shortest possible time. Accordingly, final preparations for operation to cap the well have already been started.

15. That around one thousand six hundred and ten (1610) families have been evacuated from the nearby affected



areas and are camped initially in four relief camps set up at (i) Baghjan Dighultarrang L P School. (ii) St. Joseph School - Baghjan Tea Estate and (iii) Gateline LP School, Dighultarrang, iv) No.1 Baghjan Gaon L P School. All necessary supports for stay, food (including baby food), water, toilets, electricity and medical and veterinary care have been provided at the relief camps with support from District Administration and local organizations.

16. That in the meantime, different committees have been constituted by various statutory authorities and government bodies to enquire into the incident, having different scope of enquiry. The details of committees are enumerated below:

- i) One Person Enquiry Committee headed by the Addl Chief Secretary, Govt of Assam vide Order No. HMA/19/50//2020-Pol(A)/4 dated 12.06.2020. A copy of the order dated 12.06.2020 numbered as HMA/19/50//2020-Pol(A)/4 is being annexed herewith and marked as Annexure 5.
- ii) Three member High Level Expert Committee constituted by the Ministry of Petroleum and Natural Gas, Govt of India, comprising of Director General Hydrocarbon, Govt of India, Former Chairman ONGC and Former Director, ONGC vide Order No. Expl-15022(13)/7/2020-ONG-V dated 11.06.2020. A copy of the order dated 11.06.2020 numbered as Expl-15022(13)/7/2020-ONG-V is being annexed herewith and marked as Annexure 6.
- iii) Four member expert committee constituted by the Directorate of Geology and Mining, Govt of Assam vide Order No. GM/MM/160/Pte.L/95 dated 04.06.2020. A copy of the order dated 04.06.2020 numbered as GM/MM/160/Pte.L/95 is being annexed herewith and marked as Annexure 7.
- iv) One member Expert Committee headed by the Addl PCCF(WL&CWLW) constituted by Environment & Forest Department, Govt. of Assam vide Order No. FRW.6/2020/1 dated 12.06.2020. A copy of the order dated 12.06.2020 numbered as FRW.6/2020/1 is being annexed herewith and marked as Annexure 8
- v) Two member expert Committee constituted by the Oil Industry Safety Directorate (OISD) under the MoPNG, Govt of India vide e-mail dated 30.05.2020. It is pertinent to mention herein that OISD is a technical Directorate under the Ministry of Petroleum and Natural Gas that formulates and coordinates the implementation of a series of self regulatory measures aimed at enhancing the safety in the oil & gas industry in India. The main objectives of the OISD are Standardization, Formulation of Disaster Management Plan, Accident Analysis and Evaluation of Safety Performance. A copy of the email dated 30.05.2020 by of Oil Industry Safety Directorate



(OISD) is being annexed herewith and marked as Annexure 9. It is also relevant to mention that the Mines Act, 1952 empowers the Director General Mines Safety (DGMS) to investigate such incident and accordingly, DGMS has initiated investigation on the matter.

vi) Enquiry conducted by the Directorate General of Mines Safety (DGMS), Govt of India under the Mines Act, 1952. Further to above, on the request of the Respondent Company, Assam Agriculture University, Jorhat vide letter no. 7(15/13/DRA(T)/Pt/2020-21/2381 dated 17.06.2020 constituted a three-member expert committee to assess the damage of crop/Tree/Plants (Paddy/Tea/Fruit/Vegetation) in and around the blow out site. A copy of the letter dated 17.06.2020 numbered as (15/13/DRA(T)/Pt/2020-21/2381 is being annexed herewith and marked as Annexure 10.

17. That in the said incident, Two Fire Service Personnel of OIL India Ltd unfortunately lost their lives by drowning in the nearby ponds. After the postmortem, the dead bodies of the two employees of OIL, who valiantly sacrificed their lives on duty for the Company, were received with full honour in Duliajan. CMD and Director (HR&BD) paid homage in presence of other OIL employees. CMD, OIL India Ltd and Director (HR&BD), OIL India Ltd handed over cheque of Rs 30.00 Lakh each to the wives of the deceased fire-fighters, Late Tikheswar Gohain and Late Durluv Gogoi of OIL India Ltd under the Company's social security scheme on 15th June, 2020 at their residences in Duliajan. In addition, it has been announced that one of the eligible dependents of each of the two families shall be offered employment with OIL India Ltd on compassionate ground. Affected people in the surrounding areas are accommodated in 12 relief camps with the help of District Administration and arrangement for food and other basic needs have been made. Police Personnel are deployed by the District Administration for maintaining law & order situation at site and surrounding Drilling activities in few locations near Baghjan area have been suspended due to ongoing protest by local people.

18. xxx .....xxx.....xxx

19. That the OIL India Ltd submits that all Safety and security measures are continuously being monitored to protect surrounding villagers and their properties by the working teams. Protection of the environment would be paramount while carrying out the Well Control Operation. Efforts have been undertaken by OIL India Ltd by engaging, its own resources and hired services from organizations of national repute to minimize further impacts on the environment and to recuperate from the damage caused to the environment. Manually, picking



up of thin film of floating condensate oil was carried out by OIL India Ltd. Sorbents were used to contain the spread of condensate oil. The following organizations are involved for the purpose mentioned above, apart from the District Administration:-

- i) M/s ERM India Pvt Limited.
- ii) The Energy Research Institute (TERI)
- iii) Assam Agricultural University.
- iv) CSIR- North East Institute of Science and Technology.
- v) Indian Institute of Technology (IIT), Guwahati

20. That, aforesaid organizations are presently carrying following jobs for restoration of the environment

a) **Environmental Scanning:** OIL India Ltd engaged an National Accreditation Board for Education and Training (NABET) accredited consultant to carry out Environment Impact Assessment Study to examine impact on environment particularly air quality, noise quality, surface water, sediment quality, ground water, soil quality, terrestrial ecology, aquatic quality and to suggest mitigation measures.

b) **Spillage, Cleaning and Bio-remediation:** M/s TERI, New Delhi has been engaged by OIL India Ltd for In-Situ & Ex-Situ bioremediation of oily Sludge/ oil-contaminated soil for a quantity of 6,000M<sup>3</sup> was mobilized to the affected area on 06.06.2020. M/s TERI collected the sample microbial culture. M/s TERI inspected the spillage site and identified the areas of bioremediation in & around BGN#5, surrounding land mass and water bodies including Maguri-Motapung beel. On 19.06.2020, OIL India Ltd & M/s TERI representatives jointly identified and **certified the job volume as 12,000 m3**. M/s TERI initiated site cleaning jobs (collection/ cleaning of debris/ oil contamination in land as well as water bodies) after discussion with local villagers.

c) **Picking up of spilled oil manually and by turbo pump:** After the incident of blowout, several bunds were constructed around the area of blowout to arrest the spilled oil flowing to the nearby water bodies. The oil arrested inside the bundhs were picked up by manual efforts in drums and transferred to EPS-Baghjan. Turbo pumps driven by water jet were also been used for lifting spilled oil.

d) **Assessment of Contamination of Surface Water, Ground Water and Soil:** TERI/ERM would carry out an assessment of impact/ contamination to the surface water, ground water and soil in the affected area caused due to the blowout & fire. TERI would carry out water &



soil quality monitoring and appropriate modelling for the assessment of impact/ contamination

- e) **Assessment of Impact to Biodiversity:** TERI/ERM as well as the work assigned to Institute of Advance Study in Science and Technology (IASST), Govt of Assam, would carry out an assessment of impact/ damage to the biodiversity including the flora & wildlife in the affected area caused due to the blowout & fire.
- f) **Damage Assessment by Experts:** Assam Agriculture University (AAU) had deputed experts to assess damage to the Crops/Tree/Plants (Paddy/tea/Fruit/ Vegetation) in the area likely to be affected by the blow out and subsequent fire of BNG#5. The experts visited the area twice once after the blow out and once after the fire incident occurred on 09.06.2020.
- g) **Assessment of Vibration:** CSIR- North East Institute of Science and Technology (NEIST) had been requested to assess alleged vibration of the locality. Scientists from the premier institute have set up stations for the experimentation of the alleged vibration in the locality. The above activities are planned and are being executed by OIL India Ltd to mitigate the impacts on the environment due to the BGN#5 incident, if any.
- h) **IIT-Guwahati Study on Thermal Mapping & Sonic Measurement:** OIL India Ltd has engaged Indian Institute of Technology (IIT), Guwahati to study reported cracks in houses surrounding the blow out site using thermal mapping & Sonic Measurement. The study has been initiated on 1607.2020 in presence of officials from District Administration & PWD and Local Govt. Village Headman in Notungaon village.
- i) **Additional Efforts for the preservation of towards Dibru Saikhowa National Park:** OIL India Ltd restored 30-35ha lands by completing plantation of 64,500 trees by August, 2019 with aim of bringing back lands to its original conditions in abandoned well sites at seven locations."

9. The Tribunal considered the matter on 06.08.2020 as follows: -

"1to17...xxx.....xxx.....xxx

18. We have given due consideration to the objections. We are unable to accept the same at this stage for prima facie view and interim compensation. **The recommendations of the Committee on the subject of compensation for three categories of victims are accepted with the clarification that the compensation already paid will be taken into account and excluded from the interim compensation recommended by the Committee. Compensation to victims of categories (ii) and (iii) will be subject to**



*identification by the District Administration which may be completed preferably within one month. We request the Assam State Legal Services Authority to oversee the process.*

**19. We also accept the recommendation for interim compensation to the families who have moved out of the relief camps after the blowout of 27.05.2020 and to the families who have shifted to the relief camps after explosion on 09.06.2020.**

20. The disbursement may be made through the District Administration by deposit to the bank accounts of the affected families which may also be overseen by the State Legal Services Authority.

21. The amount calculated and quantified by the District Magistrate may be made available by the OIL within two weeks of letter of the District Magistrate.

**22. Other interim recommendations may be complied to the extent there is no dispute, subject to call being taken by concerned statutory authorities and finally by this Tribunal on the next date.**

**The Committee may give its final report before the next date by e-mail at [judicial-ngt@gov.in](mailto:judicial-ngt@gov.in) preferably in the form of searchable PDF/OCR Support PDF and not in the form of Image PDF."**

**Further reports of the Committee**

10. Accordingly, the Committee has given its further report dated 10.12.2020, apart from its progress reports dated 31.10.2020 and 01.09.2020 (wrongly typed as 01.08.2020 at some places). We proceed to deal with the said reports dated 31.10.2020 and 10.12.2020 but since report dated 1.9.2020 is covered by report dated 31.10.2020, the same need not be referred to for purposes of this order.

11. Extracts from the report dated 31.10.2020 are as follows:-

**"D. FINDINGS**

**I. INFRACTION OF ENVIRONMENTAL LAWS**

**(i) CONSENT TO ESTABLISH AND CONSENT TO OPERATE**

(a) Statutory obligations mandate that all onshore oil drilling projects adhere to strict compliance of obtaining consent under the provisions of the Water (Prevention & Control of Pollution) Act, 1974 (hereinafter referred to as the Water Act),



the Air (Prevention & Control of Pollution) Act, 1981 (hereinafter referred to as the Air Act), and Authorization under the Hazardous Waste (Management & Handling) Rules, 1989 and the Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016.

(b) Based on a detailed analysis of records produced by OIL and PCBA with respect to the projects pertaining to the Well Bahjan-5, the preliminary report noted flagrant violations of the procedure envisaged under Section 25 and 26 of the Water Act and Section 21 of the Air Act and Rule 6 under the Hazardous Waste (Management & Handling) Rules, 1989. From the face of the records before the Committee, it became evident that;

i) OIL had never procured and/or received any Consent to Establish / NOC and / or Consent to Operate under the aforesaid Acts and Rules in the manner prescribed for drilling operation of Well Baghjan-5 in 2006. Infact, OIL had never obtained any mandatory authorizations as required under the Acts and Rules other than what is stated below.

ii) OIL only had the mandatory consent under the Water Act and Air Act was approved by PCB, Assam for the years 2008-09, 2012-13, 2018-19.

For the years 2006-07, 2009-10, 2010-11, 2011-12, 2013-14, 2014-15, 2015-16, 2016-17, 2017-18, 2019-20, no consent has been issued by the PCB, Assam as per the records placed before the Committee. Thus, OIL had flagrantly and consistently violated the provision under the Water Act and Air Act except for the 3 years i.e. 2008-09, 2012-13, 2018-19.

iii) Further, the PCB, Assam and OIL were not able to place any CTE/NOC and/or CTO for any year including the year 2020 and/or for the Well Baghjan-5. It was therefore inferred prima facie that on the day of the blowout of Well Baghjan-5 on 27.05.2020 and explosion on 09.06.2020, OIL did not have the mandatory consents including the CTE/NOC and/or the CTO under the Water Act, Air Act and/or the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2016.

iv) Such omissions on the part of OIL meant clear violations not merely of the statutory mandate but also the conditions that have been stipulated under Clause 10 (iii) and (vi) of the Environment Clearance dated 11.05.2020 with respect to the Extension Drilling & Testing of Hydrocarbons at 7 locations under the DSNP Area, where the blowout and subsequent fire occurred with respect to Well Baghjan-5.

(c) Based on such findings, the Preliminary Report drew the following conclusion as stated below ;

... OIL does not have, till date, the required consent to establish and/or consent to operate to either carry out drilling and testing of hydrocarbons in Well Baghjan-5



under the DSNP Area, except for what has been stated in para 10 above. This indicates a serious and grave infraction against the statutory environmental safeguards, more particularly under Section 25 & 26 of the Water Act, Section 21 of the Air Act, the authorization under Rule 6 of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules, 2016 and the Environmental Clearance dated 11.05.2020 for the said project. This may therefore require scrutiny of all existing projects of OIL in the State of Assam to ascertain if they meet the mandatory requirements of obtaining consent / authorization under the aforesaid Acts and Rules. It is recommended that the Hon 'ble NGT may also look into the activities of the PCB, Assam with regard to the grant of CTE / NOC and CTO for all the projects of OIL, presently in operation, in the State of Assam.

(d) Pursuant to such findings, the Committee sought further clarifications from PCB, Assam vide letter dated 18.08.2020, summoning all relevant documents pertaining to the status of the Consent to Establish and Consent to Operate under the aforesaid statutes pertaining to Well Baghjan No.5. In response vide their letter dated 21.09.2020, PCB, Assam placed a detailed summary chart titled "Consent Status of M/s Oil India Limited, Dultajan including Oil Well No. BGN-5 of Baghjan Oil Field in Tinsukia District" which is appended hereto as Appendix-A. A bare perusal of the document makes it clear that the mandatory authorizations/ consent had been "not granted" except for the years of 2007-2008, 2008-2009, 2012-2013, 2014-2015, 2018-2019. It can therefore be concluded that OIL had not been granted the mandatory Consent to Operate for drilling operation of Well Baghjan-5 in 2006-07, 2009-10, 2010-11, 2011-12, 2013-14, 2015-16, 2016-17, 2017-18, 2019-20. The document, therefore, clearly supports the conclusions drawn in the preliminary report and establishes the fact that OIL does not have the mandatory authorizations i.e. either the Consent to Establish / NOC and/or Consent to Operate under the Section 25 and 26 of the Water Act and Section 21 of the Air Act. Such omissions on the part of OIL amounts to a clear violation not merely of the statutory mandate, but also the conditions that have been stipulated under Clause 10 (111) and (vi) of the Environment Clearance dated 11.05.2020 with respect to the Extension Drilling & Testing of Hydrocarbons at 7 locations under the DSNP Area, where the blowout and subsequent fire occurred with respect to Well Baghjan-5 as has been indicated in the Preliminary Report.

(e) **The Committee therefore reiterates the conclusions drawn in the Preliminary Report and recommends that direction may be issued to the PCB, Assam to take appropriate legal action against OIL and its officials for violation of the mandatory requirements of the aforesaid Acts and the rules.**



(ii) **COMPLIANCE OR OTHERWISE OF ORDERS OF THE HON'BLE SUPREME COURT**

- (a) As discussed in the Preliminary Report, the Hon'ble Supreme Court of India, vide an order dated 04.12.2006 in Goa Foundation vs. Union of India being W.P.(C) No. 460/2004, had mandated that under the Environment (Protection) Act, 1986, States should declare ecosensitive zones (ESZs) around the protected areas to keep a check on their fragmentation that may result from industrial development. Accordingly, mining and most polluting industries were prohibited in these zones. The Hon'ble Supreme Court further ordered that till the States do not identify such ESZs, all the projects that require environment clearance and are within 10 km of a protected area boundary, including mining, would be allowed only after getting an approval from the National Board of Wildlife (NBWL).
- (b) Pursuant thereto, the Hon'ble Supreme Court, vide its Order dated 07.09.2017, In R e T.N. Godavarman Vs. Union of India was pleased to relax the aforesaid prohibition in favour of OIL and granted conditional approval to OIL to undertake the present extraction of hydrocarbons from the proposed wells including the Well Baghjan-5. As evident from the Order dated 07.09.2017, the relaxation granted by the Hon'ble Supreme Court necessitated compliance by OIL of the conditions which inter-alia included:
- i) OIL to carry out a Bio-diversity Impact Assessment study through Assam State Biodiversity Board, for which budgetary offer have already been obtained on 12.05.2017.
- (c) Based on the review of documents and records produced by both OIL and the Assam State Biodiversity Board, the Preliminary Report indicated a prima facie non-compliance vis-à-vis of conducting the Biodiversity Impact Assessment study as was mandated vide Clause 1 of the aforesaid Order passed by the Hon'ble Supreme Court. The observations read as under:

Neither OIL nor the Assam State Biodiversity Board have presented any Biodiversity Impact Assessment study that was undertaken after 07.09.2017. To a specific request for submission of all expert committee reports pertaining to DSNP and its biodiversity, the Assam State Biodiversity Board clarified that such Reports, if any, were available only with the Wildlife Wing of the Assam Forest Department, which administers the DSNP and the biological diversity contained therein under the Wildlife Protection Act, 1972. The statement of the Assam State Biodiversity Board thus implies in clear terms that Assam State Biodiversity Board was not approached by OIL to carry out a Biodiversity Impact Assessment. In fact, OIL, in their reply to the Committee's query has stated to have engaged the Institute of Advanced Study in Science & Technology to prepare Biodiversity Impact Assessment study. It is not clarified by OIL whether they had informed



the Hon 'ble Supreme Court before making such deviations. In any case, as on date, there appears to be no such Biodiversity Impact Assessment study, either prepared by the Assam State Biodiversity Board or any other agency engaged by OIL, on record, till date.

- (d) Pursuant to the findings of the Preliminary Report, OIL vide its letter dated 19.08.2020 has informed the Committee that it had awarded a contract to carry out the Biodiversity Study to the Institute of Advanced Study in Science and Technology vide OIL letter ref no. OIL/CONT/LOA/S/594/2018-19 dated 20.11.2018 with necessary permission from the Principal Chief Conservator of Forests (Wildlife) and Chief Wildlife Warden, Government of Assam vide ref Order No. 54 dated 28.02.2020. OIL has further submitted that the Institute of Advanced Study in Science and Technology vide letter No.IASST/1316/2019-20/103 dated 27.04.2020 had expressed their inability to carry out the Biodiversity study. A copy of the letter dated 19.08.2020 submitted by OIL is attended hereto as Appendix-B.
- (e) The Assam State Biodiversity Board has also informed the Committee that pursuant to the order dated 07.09.2017 passed by the Hon'ble Supreme Court, the Board have not conducted Biodiversity Impact Assessment. They have also filed their affidavit dated 05.08.2020 before Hon'ble NGT, Eastern Zone Bench, Kolkata in Case No. 04/2020/EZ and IA No. 34/2020/EZ to the affect that though the board sent a budgetary offer of Rs. 21.23 lakh for conducting such study to the Joint Manager (HSE) and Nodal Officer Oil India Limited, Duliajan on 12.05.2017, the OIL did not communicate anything in that regard thereafter. A copy of the said communication dated 21.08.2020 and the affidavit dated 05.08.2020 are appended hereto as Appendix-C.
- (f) Further, it has not been made clear by OIL whether they had approached the Hon'ble Supreme Court of India to modify the said Order dated 07.09.2017 to the extent of having the Biodiversity Study conducted through the any other agency. The actions of OIL therefore stand in clear contravention of the directions of the Hon'ble Supreme Court granting conditional approval to OIL to undertake the present extraction of hydrocarbons from the proposed wells including the Well Baghjan-5.
- (g) Therefore, as on date, **OIL has been unable to carry out the Biodiversity Impact Assessment Study either through the Assam State Bio diversity Board, as was mandated by the Hon'ble Supreme Court, a fact that stands corroborated by the Assam State Biodiversity Board, or by any other agency. Such actions place OIL in continuing contempt of the directions passed by the Hon'ble Supreme Court of India, specifically its Order dated 07.09.2017 granting conditional approval to OIL to undertake the present extraction of hydrocarbons from the proposed wells including the Well Baghjan-5.**



**(iii) ENVIRONMENT PROTECTION ACT, 1986**

a) As observed in the Preliminary report, it was prima facie inferred that OIL did not have the necessary Environmental clearance (hereinafter referred to as the EC) for Baghjan Petroleum Mining Lease (PML) when it became operational in 2003 under the then Environment Impact Assessment (ETA) Notification, 1994. OIL has submitted three EC s pertaining to the Baghjan oilfield, the first of which is dated 01.11.2011. To a query raised by the Committee of whether OIL had received any EC from the Ministry of Environment, Forest and Climate Change prior to 01.11.2011, OIL has stated that the EC dated 01.11.2011 was the first obtained by OIL from the Ministry of Environment, Forest and Climate Change for which the application was submitted in 19.11.2007. It is a stated position by OIL that their operations in Well Baghjan-5 had first commenced on 20.11.2006. Since the submission of the Preliminary report OIL has not placed any additional document to indicate if the mandatory EC was indeed obtained when it became operational in 2003. This leads the Committee to state conclusively that OIL had started the activities in Well Baghjan-5, 5 years prior to grant of EC by the Ministry of Environment, Forest and Climate Change, Government of India, which is mandatory. The OIL therefore stands in contravention of the provisions of the Environment (Protection) Act, 1986 and the Environment Impact Assessment (EIA) Notification, 1994 under which it is mandatory to obtain EC for any onshore drilling projects before commencement of activities on 20.11.2006.

b) Further, verification of the general and specific conditions as stipulated under the various ECs under the Environment (Protection) Act, 1986 and the EIA Notification 2006, indicate serious violations by OIL with respect to the projects pertaining to the Well Baghjan-5. In fact, the EC dated 11.05.2020 were subject to the strict compliance inter-alia of the following conditions that;

(i) .....

(ii) Drilling in the National park/Wildlife Sanctuaries are subject to the recommendations of orders of Hon 'ble Supreme Court, recommendations of Standing Committee of NBWL, recommendations of the State Chief Wildlife Warden and strict compliance of the conditions imposed therein.

(iii) Necessary permission as mandated under the Water (Prevention and Control of Pollution) Act, 1974 and the Air (Prevention and Control of Pollution) Act, 1981, as applicable from time to time, shall be obtained from the State Pollution Control Board.

(iv) Necessary authorization required under the Hazardous and Other Wastes (Management and Trans Boundary Movement) Rules, 2016, Solid Waste



Management Rules, 2016 shall be obtained and the provisions contained in the Rules shall be strictly adhered to.

The discussion under Section D. I. (i) and D. II. (ii) above clearly indicate a serious noncompliance by OIL in adhering to the strict compliance as mandated under the EC dated 11.05.2020 and more specifically the environmental safeguards envisaged under the aforesaid Acts and Rules. Such omissions amount to a clear contravention of the statutory mandate and the conditions imposed thereon in granting approval and in continuing to carry out operations in extraction of hydrocarbons from the proposed wells including the Well Baghjan-5.

- c) The Committee has received multiple reports including those furnished by PCB, Assam and DC, Tinsukia. These reports provide a detailed record of the ambient noise level at different locations of the OIL blowout site at Baghjan at different time periods from the occurrence of the explosion on 09.06.2020 till date. These reports record a consistent increase in noise levels in and around the blowout site, with noticeable increase in sound beyond the prescribed standard irrespective of the zone. Initial reports of assessment made by the PCB, Assam dated 15.06.2020 indicate alarmingly high levels of ambient noise between 82.2 dB to 92.03 dB at a distance of 800- 200 meters respectively from the site of the OIL blowout. Infact, the noticeable increase in noise levels is evident from the report furnished by the PCB, Assam on 17.07.2020 which records ambient noise levels at 104 dB at a site located 50 meters from the Well Baghjan No. 5. Infact, ambient noise levels recorded on 07.10.2020 indicates continuing noise level recorded from a minimum of 94.3 dB to a maximum of 98.2 dB at sites within a 100-meter radius from the source. The reports of PCB, Assam and DC, Tinsukia are appended hereto as Appendix D Colly. The same stands corroborated by the Report furnished by TERI, as has been made available to the Committee by OIL, which notes as under:

....that the equivalent sound pressure levels (Leq) measured at 0.5. km from the well are exceeding the industrial noise level daytime standard of 75 dB (A) in all the monitored days except for few days.

The Noise Pollution (Regulation and Control) Rules, 2000 define the acceptable level of noise in different zones for both daytime and nighttime. In compliance with Rule 3 of the said Act, the area surrounding Well Baghjan No. 5 has been designated as both Industrial and Residential. The permissible limit for the area around Well Baghjan No. 5, as provided under the Schedule to the said Rules is stated to be as follows :

**SCHEDULE**  
(see rule 3(1) and 4(1))  
**Ambient Air Quality Standards in respect of Noise**

Area Code	Category of Area/Zone	Limits in dB(A) leq
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		Day Time	Night Time
(A)	Industrial area	75	70
(B)	Commercial area	65	55
(C)	Residential area	55	45
(D)	Silence Zone	50	40

Based on the Reports received by multiple agencies, including PCB, Assam, it is evident that the ambient noise levels in and around Well Baghjan No. 5 are well above the permissible standards. It is therefore recommended that OIL be directed to take immediate and all other urgent measures to bring down the noise level within the limit prescribed under Rule 3(1) and Rule 4(1) of the Noise Pollution (Regulation and Control) Rules, 2000. Additionally, PCB, Assam may be directed to initiate appropriate legal action against the competent authorities of OIL under the provision of Rule 8 of the aforementioned Rules. Further, in the interim, a health fund may be generated by contributions made available by OIL, to be administered by the DC, Tinsukia, to defray the cost of treatment including any specialized treatment of any person(s) suffering from any ailment/condition/ illness due to the heightened noise levels. Such fund may be replenished from time to time as may be deemed necessary and appropriate by the DC, Tinsukia, which is appended hereto as Appendix-D Colly.

- (iv) Additionally, in this context, and as discussed in the Preliminary Report, the Committee seeks to draw attention to Letter No.B-29012/ESS (CPA) 2015-16 dated 07.03.2016 issued by the Central Pollution Control Board which classifies 'Oil and gas extraction including CBM (offshore & on-shore extraction through drilling wells' as Red Category industries and prohibits their operation in ecologically fragile areas/protected area. The aforesaid letter dated 07.03.2016 issued by the Central Pollution Control Board has been adopted by the State of Assam in the year 2019 vide Notification No. WG/G-1521/18-19/27 dated 04.05.2019. Thus, the continuing extraction of hydrocarbons around the DSNP would qualify as a Red category project, having it been declared as an eco-sensitive zone (ESZ) and would place it in clear violation of the Notification No. WG/G-1521/18-19/27 dated 04.05.2019. Neither OIL nor PCBA have clarified their position before the Committee qua the inconsistency with the mandate given by the Central Pollution Control Board qua industries and extent of such non-compliance.

**II. HEALTH ASSESSMENT SURVEY :**

- (i) The Committee directed the Deputy Commissioner, Tinsukia to carry out the health survey in respect of the persons living in the nearby villages of Well No. 5 Baghjan and also of the



livestock, through the Joint Director of Health Services, Govt. of Assam and District Animal Husbandry and Veterinary, Tinisukia, Govt. of Assam, respectively. Assessment relating to the effect on the fish ponds and fishermen due to the blowout incident through the District Fishery Department Officer, Tinisukia, Govt. of Assam was also directed to be made.

- (ii) Pursuant to the said direction the process of conducting the health survey of persons effected and impact on livestock as well as the impact on fish pond and fisher man due to the blowout incident of Well No. 5 Baghjan is on and the final report in that regard is expected soon. Hence, final recommendation in that regard would made by the Committee in its next report.

### III. CULPABILITY OF OIL :

- i) The Committee in the Preliminary Report dated 24.07.2020 apart from the others made the following observation :

- a) Cause of the Accident I. After going through the replies received from OIL to the queries raised by the commit and having reviewed the DPR from 20.05- 27.05.2020, prima facie, the Committee could identify, pending further investigation, the following probable causes of the accident i.e. blowout of Well Baghjan-5.

- i) There was a flaw in the operational plan. The decision to place a Cement Plug at a depth of 1000 Mtr in an inclined portion of the well (26 to 27 degree) as a secondary safety barrier itself was flawed. The cement plug should have been placed as near to the perforated Zone and in this case near to the Packer i.e. about 100 Mtr above packer by placing a 100 Mtr Sand plug above Packer to protect Packer from cement cutting falling during cement drilling.
- ii) (ii) Planned not to tag and test the Cement Plug was another flaw in the planning of Cement Plug job. It was planned to place 100 Mtr Plug but cement slurry surfaced during reverse circulation at a depth of 655 Mtr i.e. after pulled out of D/P by about 340 Mtr. Probably nobody read the cement plug job execution report of 27.05.2020. In such a situation, Plug should not only have been tagged and tested but also negatively tested to check its integrity of purpose as safety barrier before nipple down of BOP. This was a mandatory requirement as per the Standard Operating Procedure.
- iii) Moreover, when the cement slurry starts to set, slurry loses water and static gel develops. At this time, cement column would behave like water column and reduced Hydrostatic Head. Secondly, in static condition of gas well i.e. WOC time when well fluid was static, gas bubble enters slowly from the perforated zone and gas bubbles percolated up, and expanded and burst at



surface. This process continued in static condition of well at a faster rate being well fluid was brine. Same phenomenon would have been little slow in case of viscous fluid like mud. But in the process, Sp gravity of fluid in the well was reduced slowly. In this well as cement plug was placed much above the perforated zone i.e. nearly 2700 Mtr. As a result, gas bubbles diluted a long column of brine solution in the well and so there was reduction of Hydrostatic Head of brine solution which was just above formation pressure of the perforated gas zone. The combination of gas bubble phenomenon and reduction of head due to long contaminated cement plug resulted reduction of Hydrostatic head in the well after 13-14 Hours of WOC and well became active. And as there was no tested secondary safety barrier in the well after removal of BOP, well slowly started flowing and within one and half hour or so final blowout of the Well Baghjan-5 took place. This is therefore, a reason to place cement Plug near to the perforated Gas Zone to work as secondary safety barrier.

- iv) Against one of the queries raised by the Committee as to why it was not planned to set retrievable Bridge Plug (RBG) as a safety barrier in place of Cement Plug, OIL replied that use of Retrievable Bridge Plug is not in practice in OIL. The Committee found this to be surprising. SLB logging contract with OIL is in place, only needed a provision in contract to use Retrievable Bridge Plug as and when required basis. Such standard provisions in ONGC contract with SLB are there with well logging contract to utilize such services as and when required. Moreover, ONGC departmental Production Team also does this type of job departmentally. Setting of Retrievable Bridge Plug to isolate the Gas zone would have been more convenient and also time saving.
- v) In the plan of cement plug job, it was mentioned WOC as 48 Hours. But in actual D/P were pulled out of casing after 12 hours of WOC and BOP was removed from well head after 15 Hours of WOC. This was a gross violation of written instructions of WOC of 48 Hours in the Plan. It is very hard to believe that Contractor Driller would act on his own to remove BOP after 15 hours of WOC against a written instruction of WOC of 48 hours unless Driller gets some instruction in writing or telephonically from someone from OIL.

1. From above discussions, it seems that Planning group and Execution team of OIL did not take the Cement Plug Job very seriously though it was placed as a secondary safety barrier before nipple down of BOP.

Probably, the planning group relied mostly on primary safety barrier i.e. hydrostatic head of well fluid which was sufficient to stop any activity and cement plug was just an additional barrier, even though it failed would not matter. Therefore, it



was first decided by Planning Group to place the plug at a shallower depth inside the casing, testing of the plug to check its integrity was not planned considering it was not necessary. While execution of cement plug job also nobody bothered to watch how it was placed, cement slurry channeled and rose much more height than planned and cement slurry design for this plug job was also faulty. Only cement additive Retarder was used to give longer IST without control of water loss from cement slurry after placement. Vital parameter of Compressive strength was also not measured at BHCT (Bottom Hole Circulating Temperature) of 46 degree centigrade at plug depth of 1000 MT. So plug strength was not known.

**2. So, in summary we find following probable reasons of this blowout :**

- i) There was deficiency in understanding of the gravity of a critical operation like removal of BOP without having a confirmed and tested secondary safety barrier.
- ii) There was deficiency in proper planning of critical operations. There was a clear mismatch between Planning and its Execution at site and deviations from the Standard Operating Procedure (SOP).
- iii) There were serious deficiencies of proper level of supervision of critical operation at well site both from the Contractor as well as from OIL.

**b) Fixation of Responsibility for the Accident**

1) The Committee has undertaken a preliminary investigation of the various activities that happened in the Well Baghjan-5 during the work over operation based on written documents received from OIL, replies from OIL against our various queries through mails. Replies on further queries and personal interaction with concerned officers and OIL management are pending. At present, investigations are ongoing, and the Committee will be able to give a clear finding on whom to fix the responsibility for this accident in its subsequent Reports.

**c) Immediate Preventive Measures to Avoid Similar Blowout and Explosions**

Based on the preliminary assessment, the Committee presents the following preventive measures which are subject to ongoing investigations.

- a) It is pertinent to note that the handling of Gas wells is different than Oil wells. Therefore, it is necessary to have different Standard Operating Process for Gas wells.
- b) Isolation of any Hydrocarbon bearing Zone by a secondary barrier must be taken very seriously and needs to be planned properly. In such well situation the safety barrier cannot be relied upon only on Hydrostatic Head of well



Fluid. There ought to be proper secondary safety barrier, which are tested both positively and negatively to check its integrity before attending any critical operation in the well like nipple down of BOP.

- c) Placement of secondary safety barrier must be placed as near to the perforated zone, and cannot be placed anywhere in the well.
- d) Placement of Cement Plug is to be always done in the vertical portion of Casing. If required to place Cement Plug in a deviated well, either a perforated Tubing/ Drill pipe shoe is to be used and the string ought to be rotated during placement of cement slurry by using swivel joint or use the swivel joint with Kelly of the Rig. After balancing the Plug, the string needs to be pulled out slowly and while breaking the joints, Rotary is to be used to break the joint which will help cement slurry to spill all around and also to fall smoothly from inside string.

**Cement Slurry Design : -**

- e) It is important to always design Cement Slurry with water loss additive to control water loss from cement slurry to bare minimum during setting of cement. Retarder may also be added to get the desired thickening time. Compressive Strength of the designed slurry are to be tested at 12 hours, 24 hours and 36 hours to decide upon WOC time. Contingency Plan.
- f) Before doing any critical operation in well, a comprehensive contingency Plan must be in place to take immediate action to face any eventuality. In this particular well due to not having any such plan, driller at site alone was confused what to do when he observed well activity. Telephonic communication by IM to lower Tubing in Double, PE communicated to lower D/P instead. As a result, precious time was lost. Lowering of few Tubing with hanger cone would not had helped unless Xmas tree was installed. There were few probable options available to save this well.
  - f) (i) To make an attempt to nipple up BOP again. Had the BOP been simply placed over the well head flange (7-1/16) within the available time, bolting of flange, connecting to choke manifold, flow lines etc. could have been done during flowing well condition also. This was not attempted considering it would take much more time.
  - f) (ii) Alternately, Tubing Hanger (Cone type) could have been picked up with one single Tubing. The single tubing with cone could have been lowered and cone installed inside well head. The X-Mas Tree then placed with the X over spool, if required. Subsequently, the Crown Valve be closed and the side valves kept open for well flow to continue, if required. It is important to tight all the flange bolts. Then connect the pumping lines to flow arm of X-Mas Tree, open the valve, close side valve of X-Mas Tree



and then Brine or Mud can be bulldozed to kill the well. The Committee is of the view that this operation would not have taken much time.

(2) The Committee suggests the following procedure to be followed for placement of secondary safety barrier in different scenarios.

a) **SCENARIO-1: PERMANENT ISOLATION OF A PRODUCING ZONE.**

(1) Perforate the tubing above Packer and circulate the well with kill fluid i.e. to have Hydrostatic pressure more than formation pressure of the Zone. Observe the well, if stable pull out tubing string, Run in a permanent Bridge Plug with tubing and set just above the Packer or zone to be isolated. Test the Bridge Plug at 1500 to 2000 psi. If found holding. Circulate the well with water to check integrity of Bridge Plug under negative Head. Next, place a cement Plug of 50 Mtr above the Bridge Plug, tag and test the plug at 2000 Psi to ensure permanent isolation of the Zone.

b) **SCENARIO-2: ISOLATION OF ACTIVE PERFORATED ZONE TEMPORARILY LIKE WELL BAGHJAN-5**

(1) Before any critical operation like perforation of the Zone, the surface equipment like Well Head, BOP, Choke Manifold are to be tested first. In this particular well testing of these equipment were done after perforation of the zone and found Well Head seals were leaking, required to isolate the zone which was already perforated for repair or replace the Well Head.

(2) Now in a well situation when well was already perforated and Packer was set above perforation like Well Baghjan-5, the Committee recommends the following steps to follow.

- i) Kill the well with Kill Fluid, observe the well. If stable, pull out Tubing String, lower a Tubing conveyed Retrievable Bridge Plug (RBG) with a perforated tubing single at bottom i.e. just above setting tool and set RBG just above Packer. This Packer can be retrieved after the job with tubing and reused.
- ii) Disengage Tubing setting tool from Packer, Test the packer at 2000 psi. If not holding, retrieve Packer and lower another Packer and reset again. Disengage setting tool from Packer and test the Plug at 2000 Psi. If found OK, displace well fluid with water to check integrity of Packer under negative Hydrostatic Head. Observe the Well for 2 to 3 Hours. If OK, replace the water in the well with Kill fluid and observe the well, if OK, pull out string. To be in safer side, a cement Plug should also be placed at a shallower depth in vertical portion of casing. First place a high viscous Plug of 200 Mtr followed by 100 Mt Sand Plug below the intended Cement Plug. These steps are suggested before placement of Cement Plug to avoid cement cutting falling during drilling of cement at top of RBG which would require to be retrieved



later. Tag and Test the Cement Plug after WOC of 24 hours. If OK, pull out string. Check contingency plan and when ready then go for dismantle of BOP by keeping constant watch on the fluid level of the well. The operation of nipple down of BOP must be done as far as possible at Day time and also in presence of senior responsible officers.

**c) SCENARIO-3: IF BOTTOM ZONE IS ISOLATED BY PERMANENT BP, NEED ARISES TO NIPPLE DOWN BOP.**

- (i) In such situation though BP was tested positively and negatively even then the recommendation of the Committee would be to place a Cement Plug at a shallower depth in vertical portion of casing, which should be tagged and tested before nipple down of BOP.
- (ii) The Committee would in his subsequent report indicate the person(s) responsible for the blowout incident as the investigation in that regard are still going on. Communications including email exchanges between Sri A. K. Hazarika, former CMD, ONGC, Member of the Committee, and the representative of OIL are appended hereto as Appendix-E Colly.

**IV. ONGOING ASSESSMENT OF ENVIRONMENT AND BIO-DIVERSITY OF THE AFFECTED LANDSCAPE :**

- (i) Some members of multidisciplinary team, reputed scientific organizations and individuals have been involved in damage assessment of the biodiversity and environment since last part of May, 2020 after the blowout incident in Baghjan Well No. 5. Samples were collected for different parameters and analysis is going on to find out the status of damage on environment and ecosystem of the Baghjan and surrounding landscape including Maguri-Motapung Beel Dibru-Saikhowa biosphere reserve cum national park and human habitation. Meanwhile wave of multiple floods and complex Covid 19 crisis has caused hurdles in the study. However the committee continued to receive interim reports after the submission of preliminary reports to NGT. All the team members and other stakeholders feel that there is a need for long term study covering all aspects to assess the actual damage caused by the Well No. 5 Baghjan and design appropriate restoration plan for the landscape after complete stoppage of fire and killing of the well.
- (ii) Dr. Ranjita Bania, who is a fishery biologist and former researcher from Dibrugarh University has been involved in the research activities in Maguri-Motapung Beel area since last 15 years. Her team visited and surveyed the area for multiple times from the day one i.e. from 27<sup>th</sup> May, 2020 when the blow out incident of Baghjan well No 5 was occurred. Some of the findings of her reports in August, 2020 and October, 2020 are listed below and compared with other reports :



The planktons are noticeably declined in the Maguri-Motapung Beel. In a study during June-July, 2020 period only 11 species of phytoplankton (Table 1) and 13 species of zooplankton were recorded (Table 2) from the site. As mentioned in preliminary report submitted to NGT, rich phytoplankton (61 species) and zooplankton (210) diversity were reported (Noroh, 2013) from the Maguri Motapung wetland ecosystem.

It was assessed that Maguri has 87 species of ichthyofauna (Bania, 2011, 2018) out of which only 22 species were found (27<sup>th</sup> May, 2020-30<sup>th</sup> July, 2020) in the survey. The team recorded 35 varieties of dead fish species (Table 3) belonging to 13 families. Among the dead species, 22 species are lower risk, near threatened category as per IUCN status. A heavy decline in the catch amount is also reported after the blowout. According to the findings of WIT (2020) that included in the preliminary report, PAHs were detected in fish tissue samples ranging between 104.3 to 7829.6 ,ug/Kg. The highest concentration was observed in fishes collected from Maguri-Motapung wetland. The total PAHs concentration reported in fish samples appears to be 10 - 100 folds higher than the earlier reported concentration in India (WII, 2020).

Recent study by the same team in October, 2020 reveals that some of the prominent species namely *Ompok pabo*, *Nundus nundus*, *Ailia coilia*, *Pseudeutopius atherinodes*, *Channa aurantimaculata*, *Danio rerio* are completely wiped out from the Maguri-Motapung wetland area. Interestingly, very few numbers of *Nandus nundus* were observed at fish landing centre of Gujangha. This is a cause of concern as even after 5 months of the incident, the fish diversity drastically declined in the Maguri-Motapung Bed ecosystem.

The pollutants from the blow out incident seriously affected the breeding season of fishes. *Mystus* species was found in gravid condition. But from last March to July end, no any fish seedling of the species was found in the Beel which clearly indicated that their breeding cycle was impacted. Besides, sudden change in body colour was also noticed for different fish species. The dead fishes were full of mucous layer with a different kind of smell. WII (2020) mentioned significant increase of the PAH in the water of Maguri Beel that caused death of different fish species.

The sudden shock, oil cover and change in dissolved oxygen level have caused death of large number of fishes. The nearby ponds are even affected. On 26<sup>th</sup> of June, 2020, it was noticed that heavy toll of fishes were coming to the upper surface of water for oxygen.



They exhibited lethargic and irregular body movement. Large number of fishes died on the very next day and continued till 28<sup>th</sup> June, 2020 also. The dissolved oxygen value came down to 2.1 ppm which cause the high mortality of fishes. The prominent fishes found dead on the day were *Labeo gonius* which was table sized along with *Labeo rohita*, *Catla catla*, *Wallagu attu* being very high commercial value as food fish.

Majority of the fisher who earn on an average minimum Rs. 2000/- per day has to stop their main occupation upto 3 months. This revealed that heavy loss of the local fisher community in their livelihood and will suffer till the restoration of the Maguri-Motapung Beel.

Significant decrease of encounter of River Dolphin was observed even after 5 months of the blow out incident. Only 2 numbers of river dolphins were observed on 18<sup>th</sup> October, 2020 in the river stretch from Sobha Nallah (River Dangori) to Kalmi Nallah (River Dibru). The same team has observed 13 numbers of River Dolphins at Koliapani Ghat on 30<sup>th</sup> June, 2020. It was mentioned in the preliminary report that encounter rate of Gangetic River Dolphin in the area has decreased by 89% post of the oil blowout and also death of an individual.

During interaction with people of Baghjan village and representatives of Milanjyoti Yuva Sangha, it came to light that due to the blockage of pool first pool from BGR 5 towards Notungaon), Baghjan village is suffering from water logging situation causing damage to their remaining crops. They used untreated water released from the Oil site and is expecting to have some chemicals as suspected by the villagers which again need further analysis.

The Baghjan EPS released heavy amount of oil smoke polluting the environment as reported on 8<sup>th</sup> October, 2020 (2 pm), 25 October, 2020 (7.45 am) and 27 October, 2020 (9.40 am) which continued for almost 30-45 minutes each time.

A report submitted by Milanjyoti Yuva Sagha dated 19/8/2020 showed that 28 years Sumitra Malla had given birth a still born baby boy on 17/8/2020 which was noted as baby IUFD (Infra Uterine Fatal Death). There is an urgent need to assess the effects of blow out on health of villagers specially pregnant women and children.

There is a need for survey to cover all the households in Dighaltarang Tea Estate, Baghjan Beel line, Guijan Ghat and other areas to assess the damage due to the blow out incident.



It needs to be mentioned that Maguri Motapung harbours a wide range of ornamental fish species which are not easily available in other pockets and fetches high value in the international market. Habitat destruction of ornamental species like *Biota rostrata*, *Channa bleheri*, *Badis badis*, *Macrogynathus punctatus*, *Badis assamensis*, *Devario rexia*, *Ailia coila*, *Chaca chaca* severely posed a threat to these species.

Maguri-Motapung Beel has 57 species of aquatic macrophytes (Bania, 2011) out of which only 15 species (Table 4) under 12 families were recorded after the incident. In some parts of the Beel, complete burning was observed. The decayed parts were giving unpleasant odour and bubble of oil was observed when shacked with a bamboo pool. These are the habitats for many wetland birds and aquatic insects and other invertebrates. Out of the 26 mollusc species (Kardong et al. 2016) reported from the Maguri-Motapung wetland only 4 species namely *Angulyagra oxytropi*, *Lamellidens marginalis*, *Pisidium sp.* and *Sphaerium indicum* are found after blowout in our survey. Important to mention that many people specially the lower economic class uses molluscs as their food and they play very crucial role in the food chain too.

Table 1 : Phytoplanktons found in Maguri Motapung aftermath Baghjan case

SL. NO.	Name
1	<i>Navicula sp.</i>
2	<i>Cholerella sp.</i>
3	<i>Clamydomonas sp.</i>
4	<i>Cladophora sp.</i>
5	<i>Closterium sp.</i>
6	<i>Cosmarium sp.</i>
7	<i>Desmidium sp.</i>
8	<i>Netrium sp.</i>
9	<i>Volvox sp.</i>
10	<i>Anabaena sp.</i>
11	<i>Oscillatoria sp.</i>

Table 2 : Zooplanktons found in Maguri Motapung aftermath Baghjan case

SL. NO.	Name
1	<i>Anuraeopsisfissa</i>
2	<i>Collurella sulcata</i>



3	<i>Depheuchlanis propatus</i>
4	<i>Fillinia longiseta</i>
5	<i>Keratella cochlearis</i>
6	<i>Lecane aceleate</i>
7	<i>Lecane ovalis</i>
8	<i>Monostyla bulla</i>
9	<i>Alona sp.</i>
10	<i>Alonella dentifera</i>
11	<i>Bosmina longirostris</i>
12	<i>Daphnia sp.</i>
13	<i>Diaptomus sp.</i>

Table 3: Dead fish species found in the Maguri Motapung wetland

Sl	Name of fish species
1	<i>Notopterus notopterus (Pallas)</i>
2	<i>Barilius barila (Ham-Buch)</i>
3	<i>Catla catla (Ham-Buch)</i>
4	<i>Cirrhinus mrigala (Ham-Buch)</i>
5	<i>C. reba (Ham-Buch)</i>
6	<i>Esomus danricus (Ham-Buch)</i>
7	<i>Parluciosoma dan conius (Ham-Buch)</i>
8	<i>Labeo bata (Ham-Buch)</i>
9	<i>L. calbasu (Ham-Buch)</i>
10	<i>L. gonius am-Buch)</i>
11	<i>L. rohita (Ham-Buch)</i>
12	<i>Puntius. Conchoniuis (Ham-Buch)</i>
13	<i>P. gelius (Ham-Buch)</i>
14	<i>P. sarana sarana (Ham-Buch)</i>
15	<i>P. sophore (Ham-Buch)</i>
16	<i>P. ticto ticto (Ham-Buch)</i>
17	<i>Rasbora Rasbora (Ham-Buch)</i>
18	<i>Salmphasia (Salmostoma) bacaila</i>
19	<i>Acanthocobititis botia (Ham-Buch)</i>
20	<i>Botia dario (Ham-Buch)</i>
21	<i>M.ystus cavasius (Ham-Buch)</i>
22	<i>M. tengara (Ham-Buch)</i>
23	<i>M. vittatus (Ham-Buch)</i>
24	<i>Wallago attu Scheidner</i>
25	<i>Eutropiichthys vacha (Ham-Buch)</i>
26	<i>Clarius batracus</i>
27	<i>Heteropneustes fossilis (Bloch)</i>



28	<i>Mastacembelus. annatus</i> (Lacpede)
29	<i>Mastacembelus pancalus</i> (Ham-Buch)
30	<i>Pseudambassis</i> (Chanda) nama (Ham-Buch)
31	<i>Badis backs</i> (Ham-Buch)
32	<i>Trichogasterfasciatus</i> (Schneider)
33	<i>T. lalia</i> (Ham-Buch)
34	<i>Channa punctatus</i> (Bloch)
35	<i>Channa aurantimaculata</i> (Musikasinthom)

Table 4: Aquatic Macrophytes of Maguri Motapung Wetland

SL. No.	Name of Species	Ecological Habitat
1	<i>Ceratophyllum demersum</i> L.	OS
2	<i>Pistia stratiotes</i> L.	FF
3	<i>Ipomea aquatica</i> Forsk	AFS
4	<i>Hydrilla verticillata</i> L. f	OS
5	<i>Vallisneria spiralis</i> L.	OS
6	<i>Nymphaoides inckca</i> (L) O. Ktze.	AFS
7	<i>Nymphaea pubescens</i> Willd	AFL
8	<i>Ludwigia adscendens</i> (L.) Hara	AFS
9	<i>Spirodela polyrrhiza</i> L. Schleid	FF
10	<i>Hygroryza aristata</i> (Betz.) Neesex W & A	AFS
11	<i>Leersia hexandra</i> Swartz	AFS
12	<i>Eichhornia crassipes</i> (art.) Solms	FF
13	<i>Monochoria hastata</i> (L.) Solms.	EP
14	<i>Salvinia cucullata</i> Roxb. Ex Bory	FF
15	<i>Trapa natans</i> (L.) Roxb.	AFS

(iii) Dr. Jihosue Biswas from Primate Research Centre North East India and a member of multidisciplinary team provided his findings on primates and other wild fauna affected by the blow out within the vicinity of a 5 km radius of Baghjan Well No. 5. His findings are given below :

A dead gibbon (*Hoolock hoolock*) was born on 28<sup>th</sup> September 2020 in Purani Motapung village, believed to be a still birth. The Purani Motapung village under Barekuri is situated in the southern periphery of Maguri-Motapung Bed which is 4.3 km away from the blow-up site aerially (27° 33' 57.21" N & 95° 24' 46.84" E). It was reported that the female carried the dead baby for 4 days and on 2<sup>nd</sup> October 2020, she abandoned the body, and the carcass was taken by dog. According to the villagers and media, this incident of gibbon still birth was due to impact of Baghjan blow-up. While preparing this report, the investigator got the news of death of the mother gibbon also on 27<sup>th</sup> October. The said gibbon was sick, did not took any food for the last two days, ceased all activities, and rest on the tree top. Although, the veterinarian from Wildlife Trust of



India and the local forest officials tried to treat the gibbon, but failed. A postmortem was conducted by the veterinarian of Wildlife Trust of India in presence of local forest officials and the viscera was sent to the forensic lab for further analysis.

The team visited area on 11<sup>th</sup> October 2020 to investigate the case. The gibbon group comprised four individuals, one adult male, one adult female, one sub-adult male and one juvenile female. Purani Motapung have two such gibbon groups each having three individuals and two floating males. The adult male of the group was missing and the mother of the deceased infant was hostile to the existing sub-adult male as an intense fight between the female and the sub-adult male was observed. The sign of parturition in female was observed, which confirmed the birth episode. It is assumed that, since during pregnancy, the female gibbon compelled to feed on contaminated leaves and plant parts apart from direct exposure to the xenobiotic pollutants, the domestic cattle were also exposed to such pollutants and must have experienced similar situation. To assess this, the investigator decided to conduct a semi-structured face-to-face questioner survey (Huntington, 2000) of Purani Motapung village on recent infant death of domestic animals particularly cattle and goats.

The team interviewed 11% of households of Purani Motapung village and found that only 50% of households possess domestic cattle. After the Baghjan blow-up, during the last five months, 9 calves were born in these houses, and 44.4% of mortality or loss to all causes was observed. Among this, 22.2% of calves were born alive and died within a few days and 22.2% were stillbirth. It was found that the death rate of calves in the Purani Motapung area was 0.29/year which is much higher than the state average in normal time. While the observed stillbirth rate of cattle was 0.14/year. Similarly, the observed death rate of the goat was 0.25/ year. The study thus suggests that calf mortality in domestic cattle in Purani Motapung village during this period could be linked to the xenobiotic pollutants of Baghjan blow-up and indicates possible impacts on Hoolock gibbon, since the animals were also exposed to toxic gases and condensate during pregnancy and consumed toxins in contaminated.

The study also suggests that after blow-up during the period from 27.05.2020 to 08.06.2020 when the toxic gases with condensate were being blown out, the immediate impact of exposure on domestic animals was dizziness, as 89.6% of respondents said that the cattle and goats became unbalanced and restlessness and ceased all activities, while 55.3% respondents said that the animals were also suffered blur eyesight and 78.95% respondents said that they witnessed premature fall of leaves from trees during that period. 42.1% of respondents said that the cattle were suffering from skin diseases after blow-up (fig -2).



During the short bout of field survey (11<sup>th</sup> to 13<sup>th</sup> October, 2020) in the Maguri Motapung Beel and in the Dibru River, it was observed that bird density and diversity within a 2 Km radius of the blow-up site had reduced substantially and encounter rate was invariably low even after 5 months which indicates their populations lower than before. The team did not sight any threatened bird species in the grassland as most of their habitats have been badly affected. Even no migratory bird or winter visitors were observed during our visit in Maguri Beel, which is otherwise visited every year in the area in early to mid-October except wagtail. The noise pollution added extra deterrence to the winter migratory birds. They observed thin oil slick in Maguri Beel and in the Dibru River as small amount of oil and condensate still spill from the blowup side and collected water samples from 8 such sites and hand over it to Gauhati University for further analysis.

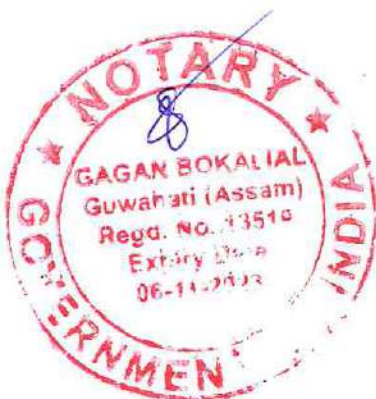
Regarding mammalian fauna inside the Dibru-Saikhowa National Park, very low encounter rate was observed. Amongst them Asiatic Water Buffalos (*Bubalus arnee*), Gangetic Dolphin (*Platanista g. gangetica*), Rhesus Macaque (*Macaca mulatta*) and Hoary bellied squirrel (*Callosciurus pygerythrus*). Except Gangetic dolphin and water buffalos, no death was documented on other mammalian species due to oil spill after blow-up. Inside the park, the team observed three fresh carcass of domestic buffalos in the river, which depict grave picture. Many others species like ungulates, primates, felid, canine and rodents group apparently dispersed during blow-up but might have secondary exposure and it is still too early to tell definitively what the impact has been for these species and required detailed study. A comprehensive impact assessment is urgently required along with an integrated ecological restoration plan for bioremediation of hydrocarbons polluting the soil and wetland.

A copy of the Report dated 29.10.2020 submitted by Dr. Jihosuo Biswas is appended hereto as Appendix-H.

iv) The observation of Aaranyak, a member of multidisciplinary team is given below :-

The noise pollution from the Baghjan Well-5 along with periodic vibration is being felt in the surrounding areas of Baghjan. It is also learnt that affected people are still in temporary shelter camps and as per information received, affected families are being given some monetary compensation by Oil India Limited.

Due to monsoon rain and runoff of the water, some effect on soil and water pollution have been reduced to some extent but overall effect in surrounding habitats including Maguri-Motapung wetland can only be seen when surface water level goes further down.



As winter is approaching, the effect of the Baghjan Gas/Oil leakage leading to big fire on migratory bird species may only be ascertained from November onwards.

The team noticed consistent vibration still occurring around Baghjan Well-5 and its possible impact on falling down of concrete houses along the bank of Lohit River adjacent to Dibru-Saikhowa NP in Guijan area. There is a need of detail study in this regard.

There are some local reports on the death of about 100-150 Domestic Buffalos around Baghjan area, especially in Buffalo khutis. However, it is not known whether those deaths are due to any impact from Baghjan Gas/Oil leakage or subsequent fire or due to some other factors including diseases. Same may be investigated by the concerned government department to confirm the cause of such deaths.

(v) Some restorations of habitants are seen in the photographs. In this regard the committee opined that there should be proper study to find out the toxicity of the plant materials. This will help in the investigation of the abnormal death of the domestic and wild animals as well as restoration design of the landscape. A copy of the Report dated 27.10.2020 submitted by Aaranyak is appended hereto Appendix-I.

(vi) Dr. Ranjan Kumar Das, a member of the Multidisciplinary Team vide his Report dated 30.10.2020 has presented an assessment of the impact on grassland and wetland birds and their habitats in and around the site. He states as under:

There are two very prominent phases of impact.

- 1) Impact during 27-05-2020 to 08-06-2020 when the toxic gases with condensate were blown out.
- 2) Impact from 09-06-2020 after the raging fire broke out which is continuing for more than 150 days at the time of preparing this report.

Phase-I

Both the phases have their unique characteristics of damages that were very devastating. During the first phase the impact was widespread and the toxic gases dispersed to a long distances along with the wind directions. It was felt up to the distances of about 9 Km where I am writing this report at my place of residence. On the other hand the oil spill and condensate were thrown to a distances of about 2Km radius on the ground where all the phytoplankton and zooplankton were directly affected along with the effect on human life. During that phase many villagers complained with different health issues. Within the radius of 2 Km every plant and animal life was affected when most of the plants covered with oil and condensate, died off. There were coatings of oil film seen on each and every plant life, water bodies, tea gardens, agricultural fields and on the other manmade structures. The grasslands were severely affected and most of the breeding endemic Red data book



grassland birds listed in the Table: I abandoned their nest without hatching or left their chicks to die.

Phase-2

On 09-06-2020 suddenly the fire broke out and it engulfed a huge area. Immediately within the range of about 1Km radius everything came in contact with fire and almost all burned to ashes. Many people have been evacuated immediately and most of the houses with all their belongings near the Baghjan well No. 5 were totally damaged by raging inferno. Most of the small tea gardens near the well No. 5 burned to ashes. But the fire engulfed the most of the grasslands towards the south western side as they were already highly inflammable due to the presence of oil condensate both on the grounds as well as on the trees and grasses. Another threat was the blowing wind at that moment when fire started to spread in the direction of wind. A large area of the grassland in the western side of the oil well got fire and the ecosystem was badly affected. Most of the breeding endemic threatened birds fled the place leaving behind their nests. During my preliminary field survey it was observed that bird density and diversity was very less within the radius of 1Km where basically a few numbers of common gregarious birds were seen. Not a single threatened Red Data Book birds were observed during my field survey as most of their habitats were badly affected by fire. Even after the three waves of floods we had seen the presence of oil slick and condensate in the grassland habitat on 14-07-2020. Many species of herpetofauna, amphibian, and insect were killed after the fire broke out.

Phase-3

It's already been more than 150 days of continuous blowout which is still going on with high decibel noise, water and air pollution. This phase-3 has been based on the change of season which would be totally different from the view point of meteorological as well as hydrological characteristics. During winter the entire habitats for grassland and wetland bird changes. Some of the early winter migratory birds have already been arrived in the Brahmaputra valley through two different international flyways which are known as Central Asian Indian flyway and East Asian Australian flyway. Both these two flyways overlapped over north-east India

On 25<sup>th</sup> of October 2020 there was sighting report of Amur Falcon-*Falco amurensis* a migratory raptor which comes all the way from Japan and East Asia. Moreover, some Plovers, Wagtails and Warblers are already sighted in and around Maguri-Motapung wetland. But these are widespread visitors covering different habitats and they can somehow adopt themselves in some adverse environmental situations up to a limit. The major winter migratory birds like Ducks and Geese are not yet sighted which particularly needs undisturbed environmental conditions. By November last they will start to come. As the peak winter migratory season starts from last part of November to February both for the grassland and wetland birds, the constant monitoring during this period is most important. Only then the proper assessment of the impact on these



birds can be done by observing their numbers, behaviors and foraging habit.

A copy of the Report dated 30.10.2020 as submitted by Dr. Ranjan Kumar Das is appended hereto as Appendix-J.

(vii). All the experts from the multidisciplinary team and committee members expressed their views that there should be a detailed study on all the aspects to assess the actual damage on the environment, biodiversity and local communities caused by the blow out and subsequent fire on Well No. 5 Baghjan. Secondly a practical restoration plan for the affected landscape should be developed as well as arranging proper rehabilitation and compensation to the affected families. All reports that have been submitted including those made by independent members of the multi-disciplinary team are being assessed along with the samples and data that are to be collected in future. A comprehensive report of the same will be presented in are subsequent reports. The reference list relied upon for this section is appended hereto as Appendix-K.

**V. STATUS ON THE ISSUE OF COMPENSATION TO THE AFFECTED FAMILIES**

- (i) The Hon'ble NGT in its Order dated 06.08.2020 in O.A. No. 43/2020 (EZ) and O.A. No. 44/2020 (EZ), inter-alia directed payment of compensation to victims of categories (ii) and (iii) subject to identification by the District Administration. In terms of the said Order, this process was to be completed preferably within one month and overseen by the Assam State Legal Services Authority.
- (ii) In compliance of the above-mentioned Order, **the reports of the Assessment Teams dated 24.08.2020 constituted by the Office of the Deputy Commissioner, Tinsukia provided a finding of 57 families who had suffered Severe Damage and 561 affected families in the area. These reports were communicated to the Deputy Commissioner, Tinsukia by the Circle Officer, Doomdooma Revenue Circle and the relevant correspondence has been annexed to this Report. However, the list of affected families in the area submitted vide Letter dated 24.08.2020 was re-verified by the Assessment Team and the Magistrate-in-Charge wherein it was found that some of the names of beneficiaries had been repeated while some had been included in the first list enumerating those whose houses had suffered Severe Damage. The revised list after re-verification contained 543 beneficiaries as opposed to 561 and was communicated to the DC, Tinsukia by Circle Officer, Doomdooma Revenue Circle vide Letter dated 31.08.2020. A copy of the Letter No. DRC 16/2015-16/Pt-I/125 dated 24.08.2020 addressed by Circle Officer, Doomdooma Revenue Circle to Deputy Commissioner, Tinsukia is appended hereto as Appendix-L. A copy of the Letter No. DRC**



**16/2015-16/Pt-11127 dated 24.08.2020 addressed by Circle Officer, Doomdooma Revenue Circle to Deputy Commissioner, Tinsukia is appended hereto as Appendix-M. A copy of the Letter No. DRC 16/2015-16/Pt-I/128 dated 31.08.2020 addressed by Circle Officer, Doomdooma Revenue Circle to Deputy Commissioner, Tinsukia is appended hereto as Appendix-N.**

(iii) In the intervening period, on 24.08.2020, about 120 persons comprising of a large number of women from Baghjan Gaon, led by the Baghjan Gaon Milonjyoti Yuba Sangha started a sit-in demonstration adjacent to the Office of the Deputy Commissioner, Tinsukia. They submitted a Memorandum dated 09.08.2020 to the Hon'ble Chief Minister, Assam and the said memorandum had also been forwarded to this Committee. The primary claims set out in the memorandum are reproduced herein below :

- I. The families of Baghjan Gaon who have been affected fully/severely should be included in the Category (i) (Rs. 25 Lacs for each family) in terms of the Hon 'ble NGT order in addition to those families whose houses have been gutted.
- II. The remaining affected families from Baghjan Gaon should be included in Category (ii ). They demanded that Category (ii) affected families from Baghjan gaon should each be paid advance amount of Rs. 20.00 Lacs.
- III. They further demanded that instead of 03.11.2020 for declaring the final compensation by Hon 'ble NGT, it should be done expeditiously

(iv) The said developments were communicated to the Committee by the Deputy Commissioner, Tinsukia vide his letter dated 25.08.2020 and 26.08.2020. It is worth noting that these developments had also created a law and order situation in Tinsukia district. A final proposal for compensation to 57 families in Category (i) and 561 families in Category (ii) was submitted to the Committee by the DC, Tinsukia vide the above-mentioned letter dated 25.08.2020. The said proposal was subsequently endorsed by the Secretary, District Legal Services Authority, Tinsukia on 29.08.2020. The proposal was modified after re-verification of the list to include 543 families as opposed to 561 by a subsequent letter dated 31.08.2020 addressed to the Committee by DC, Tinsukia. In view of these events, the Committee was of the considered opinion that it was necessary to submit the First Interim Report dated 01.09.2020 to the Hon'ble NGT for its urgent consideration. A copy of Letter No. TCA.3/2020/570 dated 25.08.2020 addressed to the Chairman, Committee of Experts from DC, Tinsukia is appended hereto as Appendix-O. A copy of Letter No. TCA.3/2020/580 dated 26.08.2020 addressed to the Chairman, Committee of Experts from DC, Tinsukia is appended hereto as Appendix-P. A copy of Letter No.



TCA.3/2020/602 dated 29.08.2020 addressed to the Chairman, Committee of Experts from DC, Tinsukia is appended hereto as Appendix-Q. A copy of Letter No. TCA.03/2020/706 dated 31.08.2020 addressed to the Chairman, Committee of Experts from DC, Tinsukia is appended hereto as Appendix-R.

(v) As has been discussed above, the First Interim Report dated 01.09.2020 formulated the following recommendations for urgent consideration of the Hon'ble NGT :

- (a) 57 families identified by the DC/District Magistrate, Tinsukia be included in Category (i) and they should be paid Rs. 25 Lacs each as interim compensation;
- (b) 543 families as identified by the DC/District Magistrate, Tinsukia be included in Category (ii) and they having been the worst sufferers, the payment of interim compensation to those families may be enhanced to Rs. 15 Lacs.
- (c) The compensation, if any paid, shall be deducted from the aforesaid interim compensation.

(vi) Following the submission of the Report on 01.09.2020, a tripartite talk involving the District Administration (including police officials), senior OIL India Ltd. officials and representatives of the Baghjan Gaon Milanjyofi Yuva Sangha was held in view of the agitation programme undertaken by the said organisation since 17.09.2020. As communicated to the Committee by letter dated 25.09.2020 from DC Tinsukia, inter-alia, the following moot points as regards issue of compensation were discussed and resolved as under :

"... (4) During the re-survey the list of additional affected families were prepared and added in the Category-I. An additional 104 families were inducted into Category-I to the earlier list containing 57 families which is being attached herewith as Annexure-E. Now the number of families stands at 161. The remaining 439 families have been categorized as Category II (List enclosed Annexure-F).

In kind considerations of the above, the Experts Committee headed by your kind office may like to recommend to the Hon'ble NGT to consider the affected families of Baghjan Gaon in two categories- Category-I (12+57+104=173 Nos. of families) and Category-II (439 Nos. of families) as the final compensation of Baghjan affected families."

A copy of Letter No. TCA.3/20201PT-I/781 dated 25.09.2020 addressed to the Chairman, Committee of Experts by the DC, Tinsukia is appended hereto as Appendix-S.



(vii) In the meantime, the Member Secretary, Assam State Legal Services Authority also made a site visit from 18.09.2020-19.09.2020. In its report submitted to the Committee of Experts, the ASLSA has provided a factual analysis of the situation at the site apart from enumerating its views and suggestions as regards compensation, which is appended hereto as Appendix-T.

(viii) The Deputy Commissioner, Tinsukia being one of the Members of the Committee appointed by the Hon'ble NGT and also the head of the Revenue in the District has resurveyed the affected families and recommends that an additional 104 families be inducted into Category (i) to the earlier list containing 57 families. He has further recommended that for the disbursement of the final compensation, the affected families of Baghjan Gaon be revised into two categories and the number of affected families would be as follows

Category (i): (12+57+104 = 173 Nos. of families)  
Category (ii): (439 Nos. of families)

**The Committee is inclined to accept his recommendation for payment of Rs. 25 Lacs to the identified 173 nos. of families and Rs. 20 Lacs to identified 439 nos. of families, subject to the process being over seen by the Assam State Legal Services Authority. The amount already paid to any of the aforesaid families shall be deducted from the said amount. Hence, the Hon'ble NGT may consider passing necessary order in that regard for payment of interim compensation as suggested.**

**E INITIATIVES TAKEN FOR THE AFFECTED FAMILIES OF BAGHJAN:**

i) The DC, Tinsukia has apprised the Committee that **all the affected families and individuals who are staying at the relief camps have been relocated to suitable rented accommodation. The cost of such relocation has been borne by OIL India who have agreed to pay an honorarium of Rs. 50,000/- per month per family. Further, OIL has deposited an amount of Rs. 36.9 (Crore) to the Office of the Deputy Commissioner, Tinsukia for payment of compensation in various categories. As on date, Rs. 15.6575 (Crore) has been credited to the account of affected families in different categories.**

ii) Further, multiple schemes have been announced by the Hon'ble Chief Minister of Assam for the affected people upon his visit to the site. These include establishment of Model Hospital at Baghjan, construction of Veterinary Dispensary, proposal for Baghjan Rehabilitation through Handloom Weaving. A copy of the letter dated 27.10.2020 from the DC, Tinsukia addressed to



***the Committee of Experts is appended hereto as Appendix-U. Additionally, a Psychological counselling will be provided by a team of psychologists led by a team of Dr. Bitopi Dutta through an NGO named "Voluntary Association for Social Upliftment" based in Guwahati. The fund of Rs. 5.00 lakhs for such counselling will be borne by OIL India."***

12. The recommendations and conclusion based on the above findings

are :-

**"RECOMMENDATIONS :**

- i) *The Committee reiterates the conclusions drawn in the Preliminary Report and recommends that direction may be issued to the PCB, Assam to take appropriate legal action against OIL and its officials for violation of the mandatory requirements of Water (Prevention & Control of Pollution) Act, 1974, the Air (Prevention & Control of Pollution) Act, 1981, and*

*Authorization under the Hazardous Waste (Management & Handling) Rules, 1989 and the*

*Hazardous and Other Wastes (Management & Transboundary Movement) Rules, 2016.*

- ii) *OIL has been unable to carry out the Biodiversity Impact Assessment Study either through the Assam State Biodiversity Board, as was mandated by the Hon'ble Supreme Court, a fact that stands corroborated by the Assam State Biodiversity Board, or by any other agency. Such actions place OIL in continuing contempt of the directions passed by the Hon'ble Supreme Court of India, specifically its Order dated 07.09.2017 granting conditional approval to OIL to undertake the present extraction of hydrocarbons from the proposed wells including the Well B aghj an-5 .*

- iii) *The OIL stands in contravention of the provisions Environment (Protection) Act, 1986 and the Environment Impact Assessment (ETA) Notification, 1994 under which it is mandatory to obtain EC for any onshore drilling projects before commencement of activities on 20.11.2006.*

- iv) *Based on the Reports received by multiple agencies, including PCB, Assam, it is evident that the ambient noise levels in and around Well Baghjan No. 5 are well above the permissible standards.*

*It is therefore recommended that OIL be directed to take immediate and all other urgent measures to bring down the noise level within the limit prescribed under Rule 3(1) and Rule 4(1) of the Noise Pollution (Regulation and Control) Rules, 2000.*

*Additionally, PCB, Assam may be directed to initiate appropriate legal action against the competent authorities of OIL under the provision of Rule 8 of the aforementioned Rules.*

*Further, in the interim, a health fund may be generated by contributions made available by OIL, to be administered by the DC, Tinsukia, to defray the cost of treatment including any specialized*



treatment of any person(s) suffering from any ailment/condition/ illness due to the heightened noise levels. Such fund may be replenished from time to time as may be deemed necessary and appropriate by the DC, Tinsukia.

- v) Thus, the continuing extraction of hydrocarbons around the DSNP would qualify as a Red category project, having it been declared as an eco-sensitive zone (ESZ) and would place it in clear violation of the Notification No. WG/G-1521/18-19/27 dated 04.05.2019. Neither OIL nor PCBA have clarified their position before the Committee qua the inconsistency with the mandate given by the Central Pollution Control Board qua industries and extent of such noncompliance.

The Deputy Commissioner, Tinsukia being one of the Members of the Committee appointed by the Hon'ble NGT and also the head of the Revenue in the District has re-surveyed the affected families and recommends that an additional 104 families be inducted into Category (i) to the earlier list containing 57 families. He has further recommended that for the disbursement of the final compensation, the affected families of Baghjan Gaon be revised into two categories and the number of affected families would be as follows :

Category (i): (12+57+104 = 173 Nos. of families)  
Category (ii): (439 Nos. of families)

The Committee is inclined to accept his recommendation for payment of Rs. 25 Lacs to the identified 173 nos. of families and Rs. 20 Lacs to identified 439 nos. of families, subject to the process being over seen by the Assam State Legal Services Authority. The amount already paid to any of the aforesaid families shall be deducted from the said amount. Hence, the Hon'ble NGT may consider passing necessary order in that regard for payment of interim compensation as suggested.

**CONCLUSION :**

- (i) The Committee from time to time by issuing various e-mails have called for relevant information and reports from OIL and other Agencies including the various Committees constituted by various authorities including the Government of Assam to look into the issues arising out of the blow out. The information including the reports available with the OIL and the Government of Assam have been furnished to the Committee. Multiple reports including the following have not been furnished so far by OIL or other Agencies to the Committee as those are either not available with them or the reports are not ready :

- (a) Reports of Director General of Mines Safety, Ministry of Labour and Employment, Govt. of India,
- (b) Reports of Oil Industry Safety Directorate, Ministry of Petroleum and Natural Gas, Govt. of India,
- (c) Reports of Directorate General of Health Services, Ministry of Health and Family Welfare, Govt. of India,
- (d) Reports of MIS ERM(India) Pvt. Ltd,
- (e) Reports of Assam Agriculture University, Jorhat and Reports of Soil Compaction Study.
- (g) Report of the 3 (three) members High Level Committee constituted by the Ministry of Petroleum & Natural Gas, Government of India.



- (f) Report of the Multi-Member Expert Committee headed by Sri M. K. Yadava, I.F.S., Additional P.C.C.F. constituted by the Government of Assam vide Notification dated 02.06.2020.
- (g) Report of the One Man Committee constituted by the Government of Assam vide Notification dated 12.06.2020.
- (h) Report of the Committee headed by Sri Maninder Singh, I.A.S., Additional Chief Secretary, Guwahati Development Department constituted by the Government of Assam vide Notification dated 12.06.2020.
- (ii) OIL has also informed the Committee that the study to be conducted by M/S ERM (India) Pvt. Ltd. and Assam Agriculture University, Jorhat would be completed only after the final killing of the Well. To carry out the Soil Compaction Study, the OIL has very recently engaged an agency, report of which is also not ready. In this context, the Hon'ble NGT may be pleased to consider whether a direction is necessary to all agencies including OIL to furnish their reports/findings to the Committee by a fixed date. It is imperative that these reports be furnished at the earliest to enable the Multidisciplinary Team to arrive at a reasonable assessment of the costs involved for restoration.
- (iii) The various report and / or information furnished by OIL and other agencies to the Committee and also information / data already collected and to be collected by the Multi-Disciplinary Committee have to be assessed after conducting further test(s), wherever required. The collection of primary data being still on the Committee is unable to submit its final report before 03.11.2020 as directed by the Hon'ble NGT, more so when the source of pollution is yet to be extinguished. In this context, the Hon'ble NGT may be pleased to direct OIL to undertake all urgent and necessary efforts to silence the well immediately."

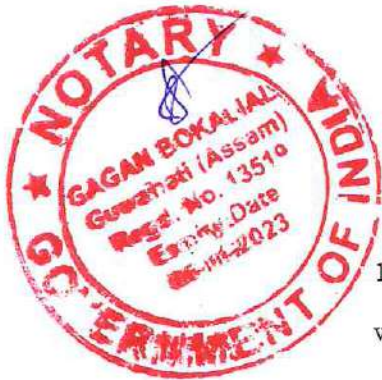
13. The report dated 10.12.2020 *inter-alia* states:-

"4. It is pertinent to note here that in the interim and during the pendency of these proceedings, **OIL vide its Letter Ref No. RCE: 03-351 dated 02.12.2020 have accepted the aforesaid mechanism for payment of interim compensation to the identified affected families with a reduced compensation amount, as ad interim measure, than as recommended by the Committee as under:**

- i. **Category A: Rs. 15 Lacs for 161 families each**
- ii. **Category B: Rs. 10 Lacs for 439 families each**

5. **OIL (vide the same letter) has further intimated the DC, Tinsukia of its intention to earmark Rs. 62.546 crores, presently available, for payment of ad interim compensation to the aforesaid affected 600 affected families of Baghjan village. Copies of the Letters Ref No. RCE: 03-351 dated 02.12.2020 and REF No. ED(HR&A)/ 63 (T)/ 234 dated 02.12.2020 submitted by OIL to DC, Tinsukia is annexed hereto and marked as Annexure A Colly."**

14. It is further stated that the Committee undertook field interaction with the representatives of the villagers and officials of the OIL and asked



the Deputy Commissioner, Tinsukia to conduct assessment of the damage and also asked State Legal Services Authority to constitute sub-Committees for assessment of the compensation to the victims. Finally the Committee has mentioned following about the budgetary allocation of the multi-disciplinary committee and for the non-official members:-

**“E. BUDGETARY ALLOCATION TO ENABLE THE WORKING OF THE MULTIDISCIPLINARY COMMITTEE**

10. (i) *The Multidisciplinary team which has been set up, as indicated in the Progress Report dated 30.10.2020, has placed an estimated cost proposal of Rs. 29,45,800/- (Rupees Twenty-Nine Lacs, Forty-Five Thousand Eight Hundred only) in order to study the ecological impact of the blowout and the explosion of Well No. 5 Baghjan. The said financial proposal has been sent by the Committee to the Department of Environment and Forest, Government of Assam vide Letter dated 09.11.2020. In its response dated 05.12.2020, the Government of Assam had directed the Principal Chief Conservator of Forest & HoFF, Assam to submit an online Financial proposal for further action. The same proposal has also been submitted to the Member Secretary, Central Pollution Control Board (hereinafter referred to as “CPCB”) for necessary action. However, sanction remains pending till date. Continued unavailability of the fund has posed significant challenge on the working of the multidisciplinary committee. In fact, due to the unavailability of funds, the members, except three of them, have been unable to visit the site till date even after the fire has been controlled and the well has been killed. Copies of the letter dated 09.11.2020 submitted to the Principal Secretary, Department of Environment and Forest, Government of Assam along with their response dated 05.12.2020 is annexed hereto and marked as Annexure E Colly.*

*(ii) It is pertinent to mention here that the Director (Scientist E), Divisional Head, IPC-I Division, Central Pollution Control Board vide mail dated 09.12.2020 has informed the Committee that the CPCB has recommended the project “Assessment of Air, Water and Soil Quality in Baghjan Well Blowout Site and its Vicinity, Tinsukia, Assam” which include assessment of environmental damage with a cost of Rs. 81.40 Lacs to NEIST, Jorhat.*

*The Committee, however, is yet to take a final decision in that regard.*

**F. HONORARIUM FOR THE NON-OFFICIAL MEMBERS OF THE COMMITTEE AND THE RESEARCH ASSOCIATES**

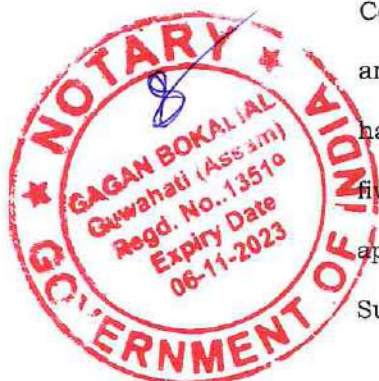


11. *In this context, it is pertinent to note that the Hon'ble NGT vide its Order dated 24.06.2020 had directed that the initial expenditure for the functioning of the Committee shall be borne by the State of Assam. However, no funds have been allocated for the working of the Committee. In fact, the monthly honorarium and modalities of payment are yet to be specified. Consequently, the non-official members of the Committee, who have since retired from their respective services and three of its Research Associates have been working with utmost sincerity and diligence without any honorarium. The Committee had apprised the Hon'ble NGT of this fact vide its letter dated 06.10.2020. A copy of the Letter dated 06.10.2020 is annexed hereto and marked as Annexure F.*
12. *The Hon'ble NGT, therefore, may be pleased to consider these aspects of the matter and pass necessary order as deemed fit and proper."*

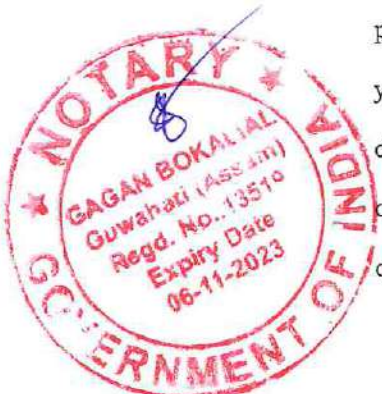
**Objections of the OIL to the recommendations of the Committee**

15. The OIL has filed its objections to the report dated 31.10.2020 on 16.12.2020 to the effect that the findings of the Committee are based on secondary data through various stakeholders. The Committee of Experts has not verified the said data by visit to the site. The multi-disciplinary Committees could not have been constituted by the Committee by delegating its authorities. Earlier interim report dated 01.09.2020 was also without proper assessment and without considering the viewpoint of OIL.

16. With regard to findings on the subject of 'consent to establish' (CTE) and 'consent to operate' (CTO), it is stated that applications have been duly made since 2006-07 which are pending and after four months deemed consent can be evoked under Section 25 (7) of the Water (Prevention and Control of Pollution) Act, 1974 (Water Act) and 21(4) of the Air (Prevention and Control of Pollution) Act, 1981 (Air Act). It is further stated that hazardous waste authorization has been duly granted on 15.06.2017 for five years. CTO was granted for 2018-19 and for subsequent periods, applications have been duly filed. With regard to the order of the Hon'ble Supreme Court requiring biodiversity study, it is stated that the area is



outside Eco Sensitive Zone area of DSNP as per Notification dated 28.01.2020. Biodiversity study has to be carried out by the Assam State Biodiversity Board. The said Board has issued letter dated 29.08.2020 that such study is not immediately possible in view of environmental crisis around the area. With regard to compliance of the EP Act, 1986, it is stated that when the project was set up its value was less than 50 Crores and no Environmental Clearance (EC) was required in terms of Notification dated 27.01.1994. However, approval was granted on 14.05.2003 by the Ministry of Petroleum and Natural Gas for 20 years. The 2006 Notification was not applicable as the project started prior to the said Notification. Still, EC was obtained in the year 2011. The OIL has rehabilitated the local people residing within 5 KMs of the project into relief camps by providing all necessary facilities. Noise barricading has been installed to control the noise level. The fire has been put off completely on 15.11.2020. Well cleaning was completed on 03.12.2020. There is, thus, no ground to take action against the Authorities of OIL under Rule 8 of the Noise Pollution (Regulation and Control) Rules, 2000. The observations of the Committee that extraction of hydro-carbons around the DSNP should be treated as 'red' category project is not correct. With regard to health assessment survey, it is submitted that safety measures were duly adopted in drilling the well. However, the contractor M/s John Energy Limited wrongly removed the blow out preventer (BOP) which led to the damage. OIL started debarment proceeding against the Contractor and the contract was finally placed in holiday list and debarred from entering any contract for two years. The High Court directed further opportunity of hearing vide order dated 21.10.2020 in WP No. 4517/2020. The order of termination of contract was confirmed on 30.10.2020. With regard to the assessment of compensation for environment and loss of biodiversity, it is stated that



committee has acted on secondary data beyond the mandate of the order of this Tribunal. With regard to compensation, the objection of the OIL is that:

*"21. That, with regard to observations at Para-D (V) (iv) and (v) (Page-40), the Answering Respondent Company submits that vide proposal Reference No. TCA.3/2020/570 dated 25.08.2020, Deputy Commissioner; Tinsukia has placed incorrect facts before the Hon'ble Committee of Experts. That under Para. 8.0, it was mentioned that the affected families otherwise falling in category (iii) as per categorization of the Hon'ble NGT may be included in category (ii) the reason being those families have been affected the most, being in the closest vicinity to the blowout and they have been subjected to continuous sound and air pollution resulting from the blow-out and fire. Further, they have apparently faced the maximum impact on their health, including mental stress and disorientation.*

*Thus the ground taken for award of compensation mentioned as 'distance irrespective of whether houses have been severely damaged or not' is highly flawed since the local population has been shifted to the safety, security and facilities of relief camps immediately after the blow-out and even before the fire broke out on 09.06.2020. Therefore, the basis of inconvenience and discomfort of the local residents as a ground for compensation and their upgradation to category (ii) as well as enhancement of the amount from Rs. 2.5 lakhs to Rs. 20 lakhs is totally misconceived.*

*That it is submitted that the said Interim Report by the Deputy Commissioner; Tinsukia was submitted on 01.09.2020 immediately after proposal of Deputy Commissioner, Tinsukia vide Letters Reference No. TCA.03/2020/706 dated 31.08.2020 raises serious doubts on the credibility of the Report which was drawn citing most urgency. Moreover, the Interim Report has never been shared with the Answering Respondent Company and therefore the recommendations/ contents are not in its knowledge.*

*22. That, with regard to observations at Para-D (V) (vi) (Page-41), the Answering Respondent Company submits that the meeting held in the office of DC, Tinsukia, between Baghjan Gaon Milonjyoti Yuba Sangha and officials of OIL on 18.09.2020 wherein the Respondent Company assured all possible assistance in mitigating the problems of the Baghjan Gaon Villagers and assured payment of Rs. 50,000/- per month to 612 families for rental accommodation, food and other facilities.*

*23. That, with regard to observations at Para-D (V) (viii) (Page-41), the Answering Respondent Company raises serious objections to the proposal of the DC, Tinsukia in revising the number of affected families and including additional 104 families in category (i) for compensation, which is without any solid justifications and basis. The Answering Respondent Company submits that the said impugned proposals of DC,*



Tinsukia were made solely on the basis of demand made by Baghjan Gaon Milanjyoti Yuva Sangha, rather than any assessment of actual damage. The Deputy Commissioner, Tinsukia while submitting its illegal and arbitrary proposals before the Committee of Experts on sympathy, has made contradiction to its earlier communication dated 29.08.2020, whereby, the applicant was apprised about the identification of 57 families and 561 families of affected families under Category-ii and Category-iii on the basis of survey made by the District Administration and as such, impugned proposal of the Deputy Commissioner, Tinsukia being sympathetic consideration, as opposed to the actual assessment, is liable to be interfered by this Hon'ble Tribunal. It is submitted that Answering Respondent has already paid compensation as per the Order of the Hon'ble Tribunal. The compensation paid to the affected families are much higher than the standard compensation, as prescribed in the Assam Disaster Manual. A comparative study in this regard shows that the affected families have received substantial compensation, even though there was no substantial damages to their houses or horticulture, as it is evident from the photographs of some of houses, which fall under Category-II as per the earlier assessment of the Deputy Commissioner, but now categorized as Category-I by the Committee. A true copy of the photographs of a few affected families, which were earlier categorized as Category-II, but now put in Category-I as well as comparative study on the compensation. are annexed herewith and marked as Annexure-17.

It is further submitted that the inclusion of 104 additional families in the list of affected people without conducting any survey or new emergent facts reflects that name of the families were included without proper assessment, which warranting proper assessment through an independent agencies for all the affected families.

24. Further, it is submitted that Interim Order dated 06.08.2020 passed by the Hon'ble Tribunal, determining the quantum of compensation to various categories of the affected people based on the recommendation of the Committee of Experts has been complied by Answering Respondent Company immediately, which itself shows that Company is always ready to pay due compensation to the genuinely affected people, as per assessment in terms of the order of the Hon'ble NGT. But, since the impugned proposal made by the Deputy Commissioner, Tinsukia recommending inclusion of additional 104 families and upgradation of compensation amount, upgradation of the affected families, already assessed, from Category-III to Category-II and from Category-II to Category-I and enhancement of compensation of Category-II from RS.10.00 Lakh to Rs.20.00 lakh merely on the demands of the local organizations, are illegal and arbitrary. The Company though appreciate the suffering of the people of the Baghjan area on account of the unfortunate Blow out incident, but it cannot justify unrealistic and unreasonable demands, more particularly, in view of the facts, the Company deals with the public money."



**Applicant's response**

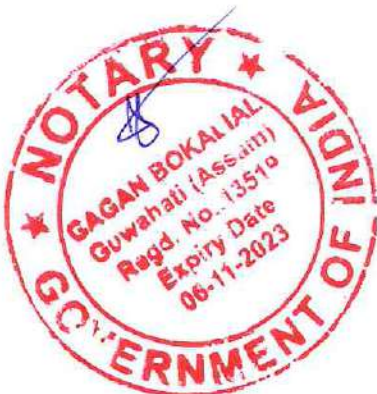
17. The applicant has also filed response to the report dated 31.10.2020 as follows:

"7. It is further prayed that the final Report include a Restoration Plan which would be based on:

- i) comprehensive research as to the damage done not only to the Maguri-Motapung wetland and grassland system but also to the adjacent areas in the Dibru-Saikhawa National Park. The research could include a diagnostic evaluation of wetlands regimes (ecological, hydrological, socio-economic and institutional aspects) as well as consider forest - wetland interactions. Further, the effect of seasonal migration, such as the arrival and departure of migratory birds between now and March 2021, could be considered;
- ii) analysis of not only current damage but damage extending over the future. For instance, the old and condensate deposits may affect the physical properties of the soil, reducing its aeration and water infiltration, subsequently affecting plant growth. Crude oil has toxic properties that could have a devastating effect at various levels of the soil;
- iii) planning concerning interventions needed immediately and others that would be phased, those that would be man-made and others that would be left to natural restoration; besides obtaining inputs from the local community, the planning phase could include an international workshop (digital) inviting experts of riverine ecology and riverine wetlands to aid restoration planning. Since Maguri Beel is driven by flood pulses - understanding river - wetland - forest interactions would be core to designing any ecological restoration plan.
- iv) implementation mechanisms - the institutions and the processes that would carry the restoration plan into the field and integrate interventions bearing in mind the multi-dimensionality of the eco- system being restored.

8. In order that the Committee has sufficient resources to carry out its tasks of conducting research and analysis, and devising the plan and implementation mechanisms for restoration, it is prayed that this Hon'ble Tribunal to augment the financial and technical resources available to the Committee. In this regard, the Applicant humbly submits that:-

- i. It is submitted that just as the Committee has suggested the setting up of a "health fund" as an interim measure to defray the cost of treatment of person(s) suffering from any ailment etc. (at page 43 of Volume I of the Progress Report), in a similar manner, an interim fund be set up to provide



*funding for the research and analysis needed to establish the complete extent of impact on the environment and bio-diversity caused by the present disaster.*

- ii. *In order to provide funding for the research and analysis, it is humbly prayed that the Tribunal recall the deposit of Rs 25 crore directed in the order dated June 24, 2020, but deferred in its order dated July 2, 2020, on the assurance given by OIL that whatever amount required for discharge of its liability would be made promptly available. The fund could be placed in the custody of the District Magistrate, Tinsuka District, and disbursed as per norms and requirement."*

#### **MoEF Response**

18. We may also mention the affidavit of the MoEF&CC filed on 23.11.2020 by Mr. Dharmender Gupta with regard to the regulatory framework in terms of Manufacture, Storage and Import of Hazardous Chemicals Rules, 1989 (MSHC Rules, 1989) and Chemical Accidents (Emergency Planning, Preparedness and Response) Rules, 1996. It is stated that the PESO and CIFs while giving site specific approvals are expected to ensure preparation of on-site emergency plans and details of mock drills and standard operating procedure (SOP) of industrial operations.

#### **Consideration of the matter by the Tribunal**

19. We place on record our appreciation for the massive work executed by the eight-member Committee, headed by Justice B.P. Katakey, former Judge of Gauhati High Court.

#### **Issues for Consideration**

20. We have given due consideration to the reports of the Committee dated 31.10.2020 and 10.12.2020 as well as to the objections of the OIL and of the applicant and heard learned Counsel for the appearing parties.

There are four aspects for consideration:



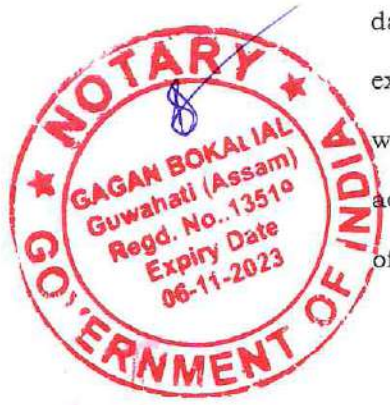
- a) **Compensation to the victims of the incidents for the damage to the houses, trauma, loss of earning and health cost incurred etc.**
- b) **Accountability for the failure of OIL to follow safety protocols in preventing the incident and remedial steps to prevent such incidents in future**
- c) **Accountability for non-compliance of statutory norms under the Water, Air and Environment laws and remedial action**
- d) **Assesment of damage to the Environment and restoration measures, including measures for restoration of Dibru-Saikhowa National Park and the Maguri-Motapung Wetland**

**Observations and Findings**

21. On consideration of the entirety of the matter, we are in agreement that further studies are required for assessment of damage to the environment and the restoration measures by an inter-disciplinary Committee. Accordingly, we propose to appoint an expert Committee for the purpose. The issue of compensation stands sorted out substantially. The remaining aspects of remedying the causes leading to the incident and statutory compliance will require further consideration by the statutory and departmental authorities in the first instance for which we propose to appoint joint Committees. Our observations and directions on different aspects follow.

**Re: a) Compensation to the victims**

22. We note that the incident in question is a massive one as the blowout resulted in fire which continued for almost six months inspite of efforts of all the Experts, hired by the OIL. Well killing operations, to avoid further damage, have taken more than six months. The damage caused is extensive. The statistics furnished by the OIL itself are that 3000 families were affected and 9000 persons were displaced from their houses and accommodated in 12 relief camps. 10 relief camps were set up as a result of first incident dated 27.05.2020 and two more camps after the incident



dated 09.06.2020. Each camp had 750 persons. Though number of claims were put forward, **major part of the issue stands resolved in terms of tri-partite arrangement between the victims, the OIL and the Deputy Commissioner, as per letter of the Deputy Commissioner dated 25.9.2020 and letter of the OIL dated 2.12.2020.** The OIL has admitted its liability to 600 families to the extent of Rs. 15 lakhs each for 161 families and Rs. 10 lakhs each to the 439 families which runs to about Rs. 68 crores. It has already paid Rs. 30,000/- each to 3000 persons i.e. Rs. 9 crores and Rs. 12 lakhs each to 11 families i.e. Rs. 2.2 crores. Further, Rs.50000/- each has been paid to the families who have left the camps to meet the cost of rent, food etc. According to the OIL, it has spent about Rs. 11 crores on the camps and also incurred expenditure on managing the blowout which is said to be about Rs. 151 cores.

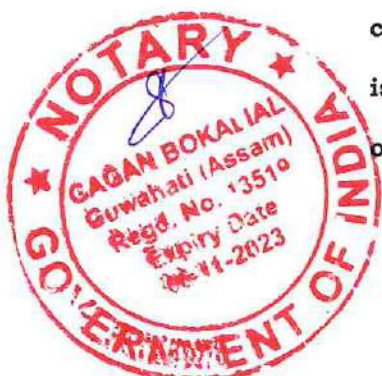
23. While the Committee has suggested payments towards compensation to be treated as interim, the OIL does not accept any further liability. In view of **substantial number of victims having been compensated upto a reasonable level, the issue will have to be taken as concluded as far as the present proceedings are concerned.** This Tribunal cannot enter into further adjudication in absence of the victims and authentic data. **While floor level compensation can be directed to be paid even on some guesswork, higher compensation claims require adjudication, based on evidence of loss.** As already observed, in absence of relevant data, we are unable to determine the claims for higher compensation, beyond the amounts already paid or conceded by the OIL.



24. The principle of absolute liability is attracted to such incidents in accordance with law laid down in *M.C. Mehta v. Union of India & Ors.* (1987) 1 SCC 395 and thus the victims are entitled to compensation atleast on principle of restitution without proving negligence. However, evidence of extent of loss suffered by each of the claimant is required, except for some sort of compensation to be awarded by applying rule of thumb. To this extent compensation appears to have already been paid during these proceedings with the intervention of the Committee and the authorities. Thus, while requiring the OIL to pay whatever compensation is undisputed forthwith, we propose to leave the rest of the matter to be decided in appropriate remedies of the victims. However, we propose to lay down mechanism to deal with some of the issues emerging from the report of the Committee. **It is made clear that this order will not debar any victim of the occurrence who is aggrieved by denial of compensation or inadequacy of compensation to take remedies for such claim before any appropriate forum in accordance with law.**

**Re: b) Accountability for failure to follow safety protocols and remedial measures to prevent such incidents in future:**

25. The Committee has prima facie found the concerned officers of OIL responsible for their failure in preventing the incident, as safety protocols were not duly followed. The OIL has pleaded its innocence and shifted the liability to the Contractor. It is stated that some action taken against the contractor (debarring for two years). **The fact remains that the OIL cannot disown its responsibility by shifting the blame on the contractor. Since it is not found necessary to finally determine this issue by the Tribunal, the same is left open to be gone into in any other appropriate proceedings - departmental or judicial.**



26. We prima facie agree with the report of the Committee that there was failure of the OIL in taking safety precautions and there is need for ensuring that such incidents do not recur. **We direct this aspect to be gone into by a six-member Committee headed by the Secretary, Ministry of Petroleum and Natural Gas in consultation with the D.G. Hydrocarbon and D.G. Mines Safety, DG Oil Industry Safety and PESO, Chief Controller of Explosives, New Delhi within three months from today.** The said Committee may review the situation and take appropriate remedial measures, including fixing responsibility for the failures of the concerned individuals in the present incident. It may also lay down the road map for ensuring compliance of safety protocols by all similar installations. Effective execution of such road map may be ensured by the Secretary, Ministry of Petroleum and Natural Gas. The Committee may also suitably take into consideration the observations in the reports of the Committee appointed by this Tribunal.

**Re: c) Accountability for non compliance of statutory norms under the Water, Air and Environment laws and remedial action**

27. The Committee has found that there are non-compliances of statutory provisions of the Air Act, Water Act, the EP Act, including the Hazardous Waste Rules, framed thereunder, the requirement of EC in terms of Notification dated 14.09.2006 and compliance of EC conditions. OIL has submitted its stand disputing the findings of the Committee. **We direct that the issue of accountability for the past compliances and the remedial action therefor be looked into by a seven-member joint Committee comprising MoEF&CC, CPCB, State PCB, SEIAA Assam, Chief Wildlife Warden, Assam, Member Secretary, Biodiversity Board, Assam and Member Secretary, State Wetland Authority Assam.** MoEF&CC will be nodal agency and the Committee may complete its work



within three months. The gaps identified may be duly addressed by the OIL which may be overseen by the statutory regulators. The Committee may also suitably take into the observations in the reports of the Committee appointed by this Tribunal.

**Re: d) Assessment of damage to the Environment and restoration measures, including measures for restoration of Dibru-Saikhowa National Park and the Maguri-Motapung Wetland**

28. Last aspect is assessing the damage to the environment and remedial restoration plan, including Dibru-Saikhowa National Park, the Maguri-Motapung Wetland. **We direct this aspect to be looked into and remedial measures planned by the ten-member Committee headed by the Chief Secretary, Assam, nominees of MoEF&CC and CPCB, Assam Wetland Authority, State Biodiversity Board of Assam, SEIAA Assam, State PCB (all through their Chairmen), Chief Wildlife Warden Assam, District Magistrate, Tinsukia, and Managing Director, OIL.** This Committee will also take over the available record and data from the Committee constituted by this Tribunal, headed by Justice Katakey and **deal with all surviving issues** as far as possible within six months. **As regards budgetary allocation for the restoration work,** the cost of restoration is to be born by the OIL. **The Committee headed by the Chief Secretary, Assam may make an estimate on which the OIL will deposit the amount so estimated to meet the cost of restoration of the environment.** Initial deposit will be on adhoc estimation of minimum amount required and any further amount becomes necessary for execution of work for restoration, as may be finally determined by the ten-member Committee, such further deposit will be made by the OIL. The restoration plan may be duly executed by the OIL which may be overseen by the concerned statutory regulators. **The OIL may forthwith pay the honorarium payable to non-official members of the Committee**



constituted by this Tribunal which may also be ensured by the Chief Secretary, Assam who may determine the amount payable, if the issue needs any clarification.

29. All the above Committees will be free to co-opt any other Expert or institution. The applicants or any other stake holders are free to give their respective suggestions, if any, to the above Committees. The Committees may hold their first meetings preferably within two weeks which may be ensured by the Secretary of MoPNG, the Secretary of MoEF&CC and the Chief Secretary, Assam respectively.

30. A public notice of crux of the order may be given at a prominent place in the office of the District Magistrate, Tinsukia and at some prominent place near the Campus of the Establishment in English as well as in Assamese. This may be ensured by the District Magistrate, Tinsukia.

The application is disposed of.

A copy of this order be forwarded to the **Secretary, Ministry of Petroleum, MoEF&CC, CPCB, Chief Secretary, Assam, D.G. Hydrocarbon and D.G. Mines Safety, DG Oil Industry Safety, PESO, Chief Controller of Explosives, New Delhi, State PCB, SEIAA Assam, Chief Wildlife Warden, Assam, Member Secretary, State Biodiversity Board, Assam and Member Secretary, State Wetland Authority Assam, District Magistrate, Tinsukia and Managing Director, OIL**, by e-mail for compliance.

A copy of this order be also forwarded to Justice B.P. Katakey, former Judge of Gauhati High Court, Member Secretaries of State Legal



Services Authority, Gauhati and District Legal Services Authority,  
Tinsukia by e-mail.

Adarsh Kumar Goel, CP

S.K. Singh, JM

Dr. Nagin Nanda, EM

February 19, 2021  
Original Application No. 43/2020(EZ)  
DV



ITEM NO.3

COURT NO.2

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s).2201/2021

BONANI KAKKAR

Appellant(s)

VERSUS

OIL INDIA LIMITED & ORS.

Respondent(s)

(WITH IA No. 92866/2021 - APPLICATION FOR PERMISSION, IA No. 67426/2021 - EXEMPTION FROM FILING AFFIDAVIT, IA No. 67425/2021 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 135266/2021 - EXEMPTION FROM FILING O.T., IA No. 135270/2021 - INTERVENTION APPLICATION, IA No. 135265/2021 - INTERVENTION APPLICATION, IA No. 72570/2021 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 67424/2021 - STAY APPLICATION)

Date : 01-09-2022 This appeal was called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD  
HON'BLE MS. JUSTICE HIMA KOHLI

For Appellant(s) Ms. Shruti Agarwal, AOR

For Respondent(s) Mr. K.M, Nataraj, ASG  
Mr. Gurmeet Singh Makker, AOR  
Mr. Shailesh Madiyal, Adv.  
Mr. Sharath Nambiar, Adv.  
Mr. Vatsal Joshi, Adv.  
Mr. Anuj Srinivas Udupa, Adv.  
Mr. Nakul Chengappa K.K., Adv.  
Mr. Sugosh Subramanyam, Adv.

Mr. Parag P. Tripathi, Sr. Adv.  
Mr. Sridhar Potaraju, Adv.  
Mr. Sudhir Mishra, Adv.  
Mr. Gaichangpou Gangmei, Adv.  
Mr. Raghav Sethi, Adv.  
Ms. Siman Gupta, Adv.  
M/S. Trust Legal, AOR

Ms. Aishwarya Bhati, ASG  
Mr. Abhishek Atrey, AOR  
Mr. Ravindra Lokhande, Adv.  
Mr. Sandeep Mahapatra, Adv.  
Mr. T. Gopal, Adv.  
Mr. Nring Chamwibo Seliang, Adv.  
Ms. Shahrukh Alam, Adv.



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Mr. Vikram Rajkhowa, Adv.  
Ms. Sonal Jain, Adv.  
Ms. Vasudha Jain, Adv.  
Mr. Devansh Mohta, Adv.

Ms. Ms. Liz Mathew, AOR

**UPON hearing the counsel the Court made the following  
O R D E R**

- 1 We clarify that the pendency of these proceedings shall not come in the way of disbursement of compensation to the affected villager in accordance with law.
- 2 Any aggrieved villager would be at liberty to move appropriate proceedings in accordance with law.
- 3 List the appeal on 21 September 2022, on the top of the Board.

**(SANJAY KUMAR-I)  
DEPUTY REGISTRAR**

**(SAROJ KUMARI GAUR)  
COURT MASTER**



**IN THE SUPREME COURT OF INDIA**  
**CIVIL APPELLATE JURISDICTION**  
**Civil Appeal No 2201 of 2021**

**Bonani Kakkar**

**... Appellant**

**Versus**

**Oil India Limited & Ors**

**... Respondents**

**ORDER**

- 1 This appeal arises from an order of the National Green Tribunal<sup>1</sup> dated 19 February 2021. The cases relates to the damage and destruction caused to the biodiversity of Dibru Saikhowa National Park and Boisphere Reserve due to a blow-out which took place from the Baghjan 5 Oil Well on 27 May 2020. Oil India Limited was in control and possession of the oil well.
- 2 The NGT constituted a Committee of experts. A preliminary report was submitted on 24 July 2020 after which on 31 October 2020, the Committee submitted a progress report. The NGT, by its impugned order, constituted three committees :
  - (i) A six member Committee to fix the responsibility for the failure of the individuals present at the incident and lay down a road map for ensuring compliance with safety protocols;
  - (ii) A seven member committee to enquire into the non-compliance of statutory provisions;

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Reason: 1



(iii) A ten member Committee to assess the damage to and restoration of the Dibru Saikhowa National Park and wet land and to take over all surviving issues from the earlier committee.

3 When the appeal was moved before this Court, in an order dated 1 July 2021, two specific grievances of the appellants were recorded. The grievances were set out in paragraph 5 of the order which extracted below :

"5 The precise grievance is two fold. Firstly, the earlier Committee had submitted a comprehensive report before the NGT: initially, a preliminary report which was followed by a progress report and, hence, the constitution of three new Committees will only delay the process. Secondly, for the determination of damages and compensation and for the restoration of the National Park and Wetland, a ten-member Committee has been constituted headed by the Chief Secretary, Assam in which the Managing Director of the Oil India limited has been inducted as a member. It has been submitted that this will be in breach of the principles of natural justice since the conduct of Oil India Limited is basically in issue and, hence, the Managing Director ought not to be a member of the Committee in any case."

4 In a subsequent order of this Court dated 2 September 2021, the Court took note of the findings of the expert committee, which was initially appointed by the NGT, in its preliminary report dated 24 July 2020 as well as the findings in the subsequent report dated 31 October 2020. Paragraphs 4 and 5 of the order of this Court are extracted below :

"4 The Expert Committee found that (i) OIL did not possess mandatory consent to establish and operate under Sections 25 and 26 of the Water (Prevention and Control of Pollution) Act 1974, and Section 21 of the Air (Prevention and Control of Pollution) Act 1981 when it started operations in Baghjan 5 Oil well in 2006. (ii) OIL does not have the requisite consent under the law to



carry out drilling and testing of hydrocarbons in the specified well except for the years 2008-09, 2012-13 and 2018-19; and (iii) OIL does not possess authorization under Rule 6 of the Hazardous Waste (Management, Handling and Transboundary Movement) Rules 2016, which constitutes a violation of the conditions stipulated in the Environmental Clearance dated 11 May 2020.

5 By a subsequent progress report dated 31 October 2020, the Committee detailed widespread damage to the flora and fauna of the region, including:

- (i) Thirty five varieties of fish species belonging to thirteen families, many of which had been completely wiped out; and
- (ii) A drastic decline in water oxygen content which has resulted in a high rate of destruction of marine life."

The Court also noted that the report had recommended a comprehensive impact assessment alongwith a plan for bio-remediation of hydrocarbons polluting the soil and the wet land.

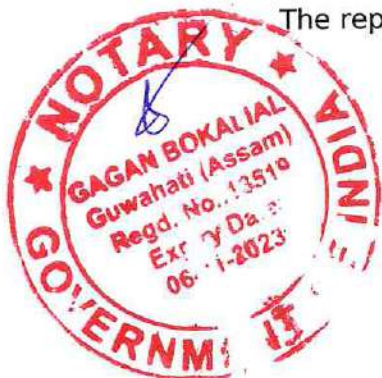
5 In its order dated 2 September 2021, this Court reconstituted the third committee constituted by the NGT. The third Committee, as reconstituted was directed to consist of the following members :

- "(i) Justice B P Katakey, former Judge of the Gauhati High Court ...Chairperson
- (ii) Dr Ritesh Kumar, Director, Wetlands International South Asia
- (iii) Mr G S Dang, ex-Deputy Director, Indian Institute of Petroleum, Dehradun
- (iv) Mr Qamar Qureshi, Professor, Wildlife Institute of India
- (v) Mr Bedanga Bordoloi."



The Court directed that the Committee shall make an interim determination of damages upon which suitable directions could be issued to Oil India Limited to deposit the amount for facilitating remedial measures.

- 6 The Committee appointed by this Court submitted its report dated 20 October 2021. A final report of the committee was submitted on 31 December 2021.
- 7 On 1 September 2022, this Court clarified that the pendency of the proceedings shall not come in the way of the disbursement of compensation to the affected villagers in accordance with law.
- 8 In view of the above narration of facts, it is evident that as a result of the interim directions of this Court, the third committee which was constituted by the NGT for the purpose of assessing the damage to the environment and restoration measures including measures for restoration of the Dibru Saikhowa National Park and the wet land stands superseded by the expert committee which has been constituted by this Court.
- 9 The Court is apprised of the fact that the other two committees are yet to commence their work in view of the stay granted by this Court on 1 July 2021. The petitioner has no grievance in regard to the constitution of the other two committees.
- 10 With the above factual background, it would be appropriate to remit the proceedings back to the NGT which shall take up the proceedings on the basis of the reports of the expert committee which was constituted by this Court. The reports of the expert committee shall be considered by the NGT. The NGT



shall hear such objections as the parties in the proceedings have, before issuing necessary directions on the aspects including restoration of the environment, reparation of environmental damage and compensation.

- 11 The other two committees, which have been constituted by the NGT, shall proceed to complete the task which has been assigned to them. In terms of the earlier directions, it is clarified that the pendency of the proceedings before the NGT shall not affect the disbursement of interim compensation to the affected villagers. The NGT shall, it is clarified, be at liberty to pass further directions in regard to assessing the compensation payable and for its disbursement to all the affected persons.
- 12 We keep open all the rights and contentions of the parties.
- 13 The order of the NGT dated 19 February 2021 shall stand modified to the extent of the constitution of the third committee in terms of the previous orders of this Court. The report of the third committee, as noted above, shall now form the basis of further proceedings by the NGT in regard to the canvass which has been covered by the committee on the assessment of damages to the environment and restoration measures including measures, for restoration of Dibru Saikhowa National Park and Maguri Motapung Wetland. The NGT shall proceed ahead on the basis of the report of the expert committee appointed by this Court, without awaiting the conclusion of the proceedings before the two other committees.
- 14 NGT is at liberty to issue appropriate directions for determining the modalities for the adjudication of final compensation and its disbursement, after taking



due account of the interim compensation which has been fixed in that regard.

15 The disbursement of the interim compensation should be effected expeditiously and within a period of two months from the date of this order.

16 The Appeal is accordingly disposed of.

17 Pending applications, if any, stand disposed of.

.....CJI  
[Dr Dhananjaya Y Chandrachud]

.....J.  
[V Ramasubramanian]

.....J.  
[J B Pardiwala]

New Delhi;  
January 23, 2023.  
-GKA-



ITEM NO.6

COURT NO.1

SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 2201/2021

BONANI KAKKAR

Appellant(s)

VERSUS

OIL INDIA LIMITED & ORS.

Respondent(s)

([as per r.p dt. 15.11.22 list top of the Board.]

IA No. 92866/2021 - APPLICATION FOR PERMISSION IA No.106558/2022  
- APPROPRIATE ORDERS/DIRECTIONS IA No. 106557/2022 - APPROPRIATE  
ORDERS/DIRECTIONS IA No. 67426/2021 - EXEMPTION FROM FILING  
AFFIDAVIT IA No. 67425/2021 - EXEMPTION FROM FILING C/C OF THE  
IMPUGNED JUDGMENT IA No. 106559/2022 - EXEMPTION FROM FILING O.T.  
IA No. 135266/2021 - EXEMPTION FROM FILING O.T. IA No.135270/2021  
- INTERVENTION APPLICATION IA No. 135265/2021 - INTERVENTION  
APPLICATION IA No. 72570/2021 - PERMISSION TO FILE ADDITIONAL  
DOCUMENTS/FACTS/ANNEXURES IA No. 67424/2021 - STAY APPLICATION)

Date : 23-01-2023 These matters were called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE V. RAMASUBRAMANIAN  
HON'BLE MR. JUSTICE J.B. PARDIWALA

For Appellant(s) Ms. Shruti Agarwal, AOR

For Respondent(s) Mr. Parag Tripathi, Sr. Adv.  
Mr. Sridhar Potaraju, Adv.  
Mr. Sudhir Mishra, Adv.  
Mr. Guichang Pou Gangmei, Adv.  
Ms. Simran Gupta, Adv.  
Mr. Mrigank Mehta, Adv.  
M/S. Trust Legal, AOR

Ms. Aishwarya Bhati, ASG  
Mr. Ravindra Lokhande, Adv.  
Mr. Sandeep Mahapatra, Adv.  
Mr. T. Gopal, Adv.  
Mr. Nring Chamwibo eliang, Adv.  
Mr. Abhishek Atrey, AOR  
Mr. Babanjit Singh Mew, Adv.



Mr. Manvendra Singh, Adv.

Mr. K.M. Nataraj, A.S.G.  
Mr. Gurmeet Singh Makker, AOR  
Mr. Shailesh Madiyal, Adv.  
Mr. Sharath Nambiar, Adv.  
Mr. Vatsal Joshi, Adv.  
Mr. Sugosh Subramanyam, Adv.

Mr. Nalin Kohli, Sr. A.A.G.  
Mr. Debojit Borkakati, AOR

Mr. Devansh Mohta, Adv.  
Ms. Liz Mathew, AOR  
Ms. Shahrukh Alam, Adv.  
Mr. Vikram Rajkhowa, Adv.  
Ms. Vasudha Jain, Adv.

**UPON hearing the counsel the Court made the following  
O R D E R**

- 1 The appeal is disposed of in terms of the signed order. The operative part of the signed order reads as under :

"10 With the above factual background, it would be appropriate to remit the proceedings back to the NGT which shall take up the proceedings on the basis of the reports of the expert committee which was constituted by this Court. The reports of the expert committee shall be considered by the NGT. The NGT shall hear such objections as the parties in the proceedings have, before issuing necessary directions on the aspects including restoration of the environment, reparation of environmental damage and compensation.

- 11 The other two committees, which have been constituted by the NGT, shall proceed to complete the task which has been assigned to them. In terms of the earlier directions, it is clarified that the pendency of the proceedings before the NGT shall not affect the disbursement of interim compensation to the affected villagers. The NGT shall, it is clarified, be at liberty to pass further directions in regard to assessing the compensation payable and for its disbursement to all the affected persons.



- 12 We keep open all the rights and contentions of the parties.
- 13 The order of the NGT dated 19 February 2021 shall stand modified to the extent of the constitution of the third committee in terms of the previous orders of this Court. The report of the third committee, as noted above, shall now form the basis of further proceedings by the NGT in regard to the canvass which has been covered by the committee on the assessment of damages to the environment and restoration measures including measures, for restoration of Dibru Saikhowa National Park and Maguri Motapung Wetland. The NGT shall proceed ahead on the basis of the report of the expert committee appointed by this Court, without awaiting the conclusion of the proceedings before the two other committees.
- 14 NGT is at liberty to issue appropriate directions for determining the modalities for the adjudication of final compensation and its disbursement, after taking due account of the interim compensation which has been fixed in that regard.
- 15 The disbursement of the interim compensation should be effected expeditiously and within a period of two months from the date of this order.
- 16 The Appeal is accordingly disposed of.
- 17 Pending applications, if any, stand disposed of."

(GULSHAN KUMAR ARORA)  
AR-CUM-PS

(SAROJ KUMARI GAUR)  
ASSISTANT REGISTRAR

(Signed order is placed on the file)



Date: 27/01/2023

To,

**The Deputy Commissioner, Tinsukia**

Borguri, Tinsukia – 786192

District – Tinsukia

Assam

Email: dc-tinsukia@nic.in

**Sub.: Disbursement of Interim Compensation to the affected villagers of 'NATUN RONGAGORA' village due to the BGN-5 well explosion of Oil India Ltd.**

Sir,

With reference to the above subject, we would like to bring to your kind notice that, we the undersigned persons are the Interveners in **Civil Appeal No. 2201/2021 BonaniKakkar vs. Oil India Ltd. &Ors.** before the **Hon'ble Supreme Court of India** pertaining to the BGN-5 well explosion of Oil India Ltd at Baghjan.

That the Hon'ble Apex Court after hearing the parties in the aforesaid Civil Appeal No. 2201/2021, passed the following direction (among others) vide Order dated 23/01/2023:

**"15. The disbursement of the interim compensation should be effected expeditiously and within a period of two months from the date of this order."**

**Enclosed:** Kindly find attached a copy of the aforesaid Order dated 23/01/2023 passed by the Hon'ble Supreme Court of India in Civil Appeal No. 2201/2021.

That the Tinsukia district administration subsequent to the Baghjan explosion had set up a makeshift shelter at Guijan High School from around 10/06/2020 for the affected villagers of NatunRongagora village and paid the affected villagers of NatunRongagoravillage in two phases – (i) immediate relief and (ii) house rent, food, medical allowances, etc, in the following manner:

30 JAN 2023

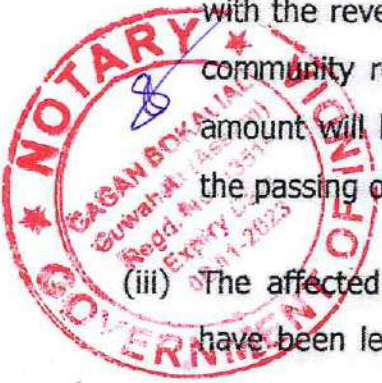
Sl.No.	Particulars	No. of Families	Amount paid per Family	Total Amount (in Crores)
1	Immediate relief	630	Rs.25,000/-	Rs.1.57
2	House rent, food, medical allowances, etc	652	Rs.50,000/-	Rs.3.26
<b>Total Amount (in Crores)</b>				<b>Rs. 4.83</b>

That on 06/08/2020, the Hon'ble National Green Tribunal (Principal Bench), New Delhi passed an order related to the Baghjan explosion in Original Application No. 43/2020(EZ) BonaniKakkar vs. Oil India Ltd. &Ors. as follows:

**"13. The recommendations on this aspect are:-**

**Based on the above discussion, the Committee recommends the following:**

- (i) An initial amount of Rs.25 Lacs will be released immediately to all the affected under category (i) whose information is already available with the Office of the District Administration. For the affected families under category, (ii) the amount of Rs.10 lacs will be released immediately within an outer limit of 15 days, based on the information already available with the Office of the District Administration. The compensation amount, if any already paid, shall be deducted from the aforesaid amount of interim compensation.
- (ii) The Office of the District Administration will compile a list of all those in Category (iii), who have been moderately/partially impacted, in consultation with the revenue officers, PWD, concerned circle officer, the Gaonburrachs and community representatives of the affected villages. The disbursement of the amount will be completed expeditiously within an outer limit of 45 days from the passing of the order by the Hon'ble NGT for interim compensation.
- (iii) The affected families, particularly under category (i) and (ii), whose names have been left out of the list would be entitled to the said amount after due

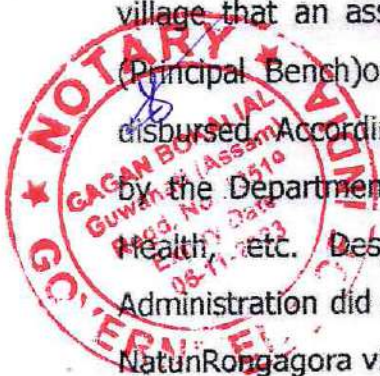


verification within 7 days from the passing of the order by the Hon'ble NGT for interim compensation and the same will be disbursed within 15 days from the date of completion of the verification.

- (iv) The interim compensation will be paid by OIL and from the funds which have already been made available to the Office of the District Administration. The balance amount, if any, will be made available immediately by OIL and as and when asked by the Office of the District Administration.
- (vii) The interim compensation as well as the one time compensation, as stated above, will be credited directly to the bank accounts of the affected families and individuals by the Office of the District Administration. The said interim compensation is non-recoverable and will be adjusted against the final compensation due to the affected families and individuals.

**18. We have given due consideration to the objections. We are unable to accept the same at this stage for prima facie view and interim compensation. The recommendations of the Committee on the subject of compensation for three categories of victims are accepted with the clarification that the compensation already paid will be taken into account and excluded from the interim compensation recommended by the Committee. Compensation to victims of categories (ii) and (iii) will be subject to identification by the District Administration which may be completed preferably within one month."**

That Tinsukia District Administration assured the villagers of NatunRongagora village that an assessment will be done according to the aforesaid Hon'ble NGT (Principal Bench) order, category list will be prepared and compensation will be disbursed. Accordingly extensive survey was conducted at NatunRongagora village by the Department of Agriculture, Public Works Department, Fishery, Veterinary, Health, etc. Despite such surveys and assessments, the Tinsukia District Administration did not disburse any interim compensation to the affected families of NatunRongagora village.



That the villagers of NatunRongagora village, including the applicants herein, have suffered extensive loss of their homes, livestock, farmstead, including their livelihood and health, due to the BGN-5 well explosion. Hence they are also entitled to interim compensation on account of the categories identified by the afore mentioned Hon'ble NGT (Principal Bench) order dated 06/08/2020, as the said order categorically observed that compensation to victims of categories (ii) and (iii) will be subject to identification by the Tinsukia District Administration, which may be completed preferably within one month. But despite such specific directions from the Hon'ble NGT (Principal Bench), the villagers of NatunRongagora have not been paid any interim compensation.

That the aforesaid O.A No. 43/2020(EZ) BonaniKakkar vs. Oil India Ltd. &Ors. went on appeal and was registered as Civil Appeal No. 2201/2022 BonaniKakkar vs. Oil India Ltd. &Ors. before the Hon'ble Supreme Court of India, and the Hon'ble Apex Court after hearing the parties, including the instant applicants/intervenors passed the above-mentioned directions vide Order dated 23/01/2023, paving the way for the disbursement of 'Interim Compensation' within a period of two (2) months from the said order.

It is further stated that the ten-member Committee earlier appointed by the Hon'ble NGT (Principal Bench) is now superseded by the Expert Committee constituted by the Hon'ble Supreme Court of India, according to the directions of the Hon'ble Apex Court vide the aforesaid Order dated 23/01/2023, more particularly stated at paragraph 8, 11 and 13 of the said order. Therefore, if there is any confusion regarding the modalities for the disbursement of 'Interim Compensation', the same may be clarified at the earliest in consultation with the Expert Committee headed by Hon'ble Mr. Justice (Retd.) B.P Katakey constituted by the Hon'ble Supreme Court of India, and as per the aforesaid interim order of the NGT (Principal Bench) dated 06/08/2020 which specified interim compensation.

In view of the above, we would like to request you to disburse the 'Interim Compensation' to the affected villagers of NatunRongagora at the earliest.



Thanking you.

Yours sincerely,

<u>Sl.No.</u>	<u>Name &amp; Address</u>	<u>Mobile No.</u>	<u>Signature</u>
1	<b>Niranta Gohain</b> Village – NatunRongagora Dist. – Tinsukia		<i>Niranta Gohain</i>
2	<b>Suneswar Baruah</b> Village – NatunRongagora Dist. – Tinsukia		<i>Suneswar Baruah</i>
3	<b>Dipa Neog</b> Village – NatunRongagora Dist. – Tinsukia		<i>দীপা নেওগ</i>
4	<b>Haresh Gogoi</b> Village – NatunRongagora Dist. – Tinsukia		<i>Haresh Gogoi</i>
5	<b>Jyoti Baruah</b> Village – NatunRongagora Dist. – Tinsukia		<i>Jyoti Baruah</i>
6	<b>Satyabrat Senapati</b> Village – NatunRongagora Dist. – Tinsukia		<i>Satyabrat Senapati</i>
7	<b>Bharat Gogoi</b> Village – NatunRongagora Dist. – Tinsukia		<i>Bharat Gogoi</i>



8 **Pallavi Borgohain**  
Village – NatunRongagora  
Dist. – Tinsukia

Pallabi Borz gohain

9 **KhiredGogoi**  
Village – NatunRongagora  
Dist. – Tinsukia

Khirus bogoi

10 **Rajat Barua**  
Village – NatunRongagora  
Dist. – Tinsukia

Rajat Baruah.

11 **PromodNeog**  
Village – NatunRongagora  
Dist. – Tinsukia

Sri - Promud Neog

12 **KatiramBorgohain**  
Village – NatunRongagora  
Dist. – Tinsukia

Sri - Kathiram Borgohain

13 **Jayanta Hazarika**  
Village – NatunRongagora  
Dist. – Tinsukia

Jayanta Hazarika



Dated: 18<sup>th</sup> March 2023

To,

**The Deputy Commissioner, Tinsukia**  
Borguri, Tinsukia – 786192  
District – Tinsukia  
Assam  
Email: dc-tinsukia@nic.in

**Sub.: Non-compliance of Hon'ble Supreme Court of India order dated 23/01/2023 in Civil Appeal No. 2201/2021 Bonani Kakkar vs. Oil India Ltd. & Ors.**

Sir,

With reference to the above subject, we would like to bring to your kind notice that the Hon'ble Supreme Court of India vide order dated 23/01/2023 in Civil Appeal No. 2201/2021 Bonani Kakkar vs. Oil India Ltd. & Ors., passed the direction for the disbursement of interim compensation to the affected villagers of Baghjan blowout and fire as follows:

***"15. The disbursement of the interim compensation should be effected expeditiously and within a period of two months from the date of this order."***

That vide our representation dated 27/01/2023 we had submitted a copy of the aforesaid Hon'ble Apex Court order dated 23/01/2023 and requested you to comply with the said order. Thereafter vide our representation dated 02/03/2023 we again requested you to comply with the aforesaid order of Hon'ble Apex Court and immediately disburse the interim compensation. But till date you have not complied with the Hon'ble Apex Court order dated 23/01/2023.

That the two months period granted by the Hon'ble Apex Court to disburse the interim compensation will be over on 23/03/2023. Therefore if the interim compensation is not disbursed as directed by the Hon'ble Apex Court, we will have no other alternative but to take necessary legal recourse.

Yours faithfully,

On behalf of the affected villagers of Natun Rongagora village.

<u>Sl.No.</u>	<u>Name &amp; Address</u>	<u>Mobile No.</u>	<u>Signature</u>
1	<b>Niranta Gohain</b> Village – Natun Rongagora Dist. – Tinsukia	9954791573	<i>Niranta Gohain</i>
2	<b>Suneswar Baruah</b> Village – Natun Rongagora Dist. – Tinsukia	9954791573	<i>Suneswar Baruah</i>



- 3 **Dipa Neog** 7086577192 ডীপা নেওগ.  
Village - Natun Rongagora  
Dist. - Tinsukia
- 4 **Haresh Gogoi** 9435674249 Haresh Gogoi  
Village - Natun Rongagora  
Dist. - Tinsukia
- 5 **Jyoti Baruah** 9473863345 Jyoti Baruah  
Village - Natun Rongagora  
Dist. - Tinsukia
- 6 **Satyabrat Senapati** 7086363712 Satyabrat Senapati  
Village - Natun Rongagora  
Dist. - Tinsukia
- 7 **Bharat Gogoi** 9365018972 Bharat Gogoi  
Village - Natun Rongagora  
Dist. - Tinsukia
- 8 **Pallavi Borgohain** Pallavi Borgohain  
Village - Natun Rongagora  
Dist. - Tinsukia
- 9 **Khirode Gogoi** 6901504368 Khirode Gogoi  
Village - Natun Rongagora  
Dist. - Tinsukia
- 10 **Rajat Barua** 9957039753 Rajat Baruah.  
Village - Natun Rongagora  
Dist. - Tinsukia
- 11 **Promod Neog** 9707446327 - Promod Neog.  
Village - Natun Rongagora  
Dist. - Tinsukia



12 **Katiram Borgohain** 7896451471 Sri Kalisam Borgohain  
Village - Natun Rongagora  
Dist. - Tinsukia

13 **Jayanta Hazarika** 8471848640 Jayanta Hazarika  
Village - Natun Rongagora  
Dist. - Tinsukia

**Copy to:**

1. The Chairman & Managing Director, Oil India Ltd., Corporate Office: Plot No. 19, Near Film City, Sector 16A, Noida 201301. Email: [cmd@oilindia.in](mailto:cmd@oilindia.in), [oilindia@oilindia.in](mailto:oilindia@oilindia.in)
2. Mr. Justice (Retd.) B.P Katakey, Chairperson, Expert Committee to the Hon'ble Supreme Court of India, Guwahati, District - Kamrup(M), Assam. Email: [katakeybp@gmail.com](mailto:katakeybp@gmail.com)



CPC D.19943/2023

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**IN THE SUPREME COURT OF INDIA  
INHERENT JURISDICTION**

**Contempt Petition (C) No \_\_\_\_\_ of 2023**  
**[Diary No 19943/2023]**

**In**

**Civil Appeal No 2201 of 2021**

**Monoj Hazarika and Another**

**...Petitioners**

**Versus**

**Dr Ranjit Rath and Others**

**...Respondents**

**ORDER**

- 1 Permission to file the Contempt Petition is granted.
- 2 The grievance of the petitioners arises from an order passed by the National Green Tribunal<sup>1</sup> on 24 July 2020 for the payment of interim compensation.
- 3 On 23 January 2023, this Court directed that the disbursement of interim compensation should be effected expeditiously, within a period of two months. Thereafter, an order has been passed by the NGT on 10 March 2023 against which an independent appeal has been filed before this Court. However, the petitioners' claim for the disbursement of the interim

Signature Not Verified  
Digitally signed by  
CHETAN KUMAR  
Date: 2024.07.17  
16:59:51+05'  
Reason:



compensation would, in the submission, still survive in terms of the order passed by this Court on 23 January 2023.

- 4 Since the grievance is that the interim compensation has still not been disbursed, we grant liberty to the petitioners to move a miscellaneous application before the NGT for espousing their relief. We request the NGT to take up the miscellaneous application expeditiously so as to ensure that due compliance of the order for the disbursement of interim compensation is effected, if not already done.
- 5 Subject to the aforesaid, the contempt petition is disposed of.
- 6 Pending applications, if any, stand disposed of.

.....CJI.  
[Dr Dhananjaya Y Chandrachud]

.....J.  
[Pamidighantam Sri Narasimha]

.....J.  
[Manoj Misra]



New Delhi;  
July 14, 2023  
CKB

ITEM NO.8 COURT NO.1 SECTION XVII

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

CONTEMPT PETITION (CIVIL) Diary No.19943/2023

(Arising out of impugned final judgment and order dated 23-01-2023 in C.A. No.2201/2021 passed by the Supreme Court of India)

MONOJ HAZARIKA & ANR.

Petitioner(s)

VERSUS

DR. RANJIT RATH & ORS.

Respondent(s)

(With IA No.106738/2023 - APPLICATION FOR PERMISSION TO FILE CONTEMPT PETITION)

Date : 14-07-2023 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA  
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Devansh A. Mohta, Adv.  
Ms. Shahrukh Alam, Adv.  
Ms. Liz Mathew, AOR  
Mr. Vikram Rajkhowa, Adv.  
Ms. Mallika Agarwal, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

1 Permission to file the Contempt Petition is granted.



CPC D.19943/2023

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- 2 The Contempt Petition is disposed of in terms of the signed order.
- 3 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)  
A.R. -cum-P.S.

(SAROJ KUMARI GAUR)  
Assistant Registrar

(Signed order is placed on the file)

