

BEFORE NATIONALGREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

I.A. NO. 533 OF 2025

IN

O.A. NO. 19 OF 2014

IN THE MATTER OF:

Dr. Kashmira Kakati

....Applicant

Versus

Union of India & Ors.

....Respondents

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RESPONDENT NO. 7

THROUGH

For, Trust Legal Advocates & Consultants

Petal Chandhok

Counsel for the Respondent No. 7

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Date: 21.11.25

Place: N.D.

BEFORE NATIONAL GREEN TRIBUNAL
NEW DELHI

I.A. NO. 533 OF 2025

IN

O.A. NO. 19 OF 2014

IN THE MATTER OF:

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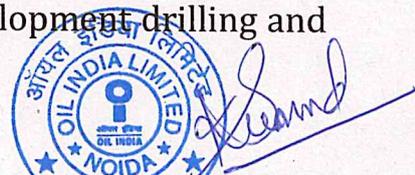
Union of India & Ors.

...Respondents

REJOINDER TO REPLY AFFIDAVIT BY ORIGINAL APPLICANT, DR. KASHMIRA KAKATI TO I.A. NO. 533 OF 2025 FILED BY RESPONDENT NO. 7, I.E. OIL INDIA LIMITED

MOST RESPECTFULLY SHOWETH:

1. This Rejoinder is being filed by the Respondent No. 7/ Respondent Applicant, i.e. Oil India Limited to the Reply Affidavit of the original applicant, Dr. Kashmira Kakati to the above mentioned I.A. No. 533 of 2025.
2. By way of the present Application, the Respondent Applicant is seeking leave of this Hon'ble Tribunal to direct the Ministry of Environment, Forest and Climate Change ("MoEF & CC/Respondent No. 1") to consider the pending Application with respect of the Environmental Clearance of Respondent No. 7/ Respondent Applicant, i.e. Oil India Limited.
3. It is humbly submitted that Respondent Applicant applied for the grant of Environmental Clearance (EC) of the Project Onshore Oil & Gas development, drilling and



production in Dumduma Pengeri Area in Tinsukia District under Petroleum Mining Lease (PMLs) namely Mechaki PML, Borhapjan PML, Dumduma PML and Digboi PML Tinsukia Assam (“**Proposed Project**”). It is submitted that the project is an expansion of the Environmental Clearance priorly granted vide Ministry’s clearance letter dated 01.11.2011, bearing no. F No. J-11011/1251/2007-IA II (I). A copy of the Application seeking EC is annexed with the Application along with a copy of the clearance letter dated 01.11.2011.

4. The contents of the Application being I.A. no. 533 of 2025 be read as part and parcel of this instant rejoinder as the same are not being repeated herein for the sake of brevity.

Preliminary Submissions

5. Before delving into the para-wise response of the Reply affidavit of the original applicant, Dr. Kashmira Kakati, the Respondent Applicant hereby makes the following preliminary submissions for the consideration of this Hon’ble Tribunal:

5.1 Respondent Applicant/ PP has complied with / responded to the observations of the Joint Committee:

- a) It is hereby submitted that all the issues highlighted by the Joint Committee have



been comprehensively addressed in OIL's previous replies. These replies were sent to MoEF&CC vide letters dated 09.10.2023, 23.02.2024, 19.06.2024, 14.10.2024, 30.10.2024 and in the compliance affidavit filed before the Hon'ble Supreme Court in Civil Appeal Nos. 9710-9711 of 2018.

A copy of the letter dated 09.10.2023 is enclosed herewith and marked as **Annexure-R1**. A copy of the letter dated 23.02.2024 is enclosed herewith and marked as **Annexure-R2**. A copy of the letter dated 19.06.2024 is enclosed herewith and marked as **Annexure-R3**. A copy of the letter dated 14.10.2024 is enclosed herewith and marked as **Annexure-R4**. A copy of the letter dated 30.10.2024 is enclosed herewith and marked as **Annexure-R5**. A copy of the compliance affidavit filed before the Hon'ble Supreme Court in Civil Appeal Nos. 9710-9711 of 2018 by the Respondent Applicant is enclosed herewith and marked as **Annexure-R6**.

- b) It is re-clarified that the Joint Committee's claim of leaking underground pipelines is unsubstantiated inasmuch as the sites visited (Pits 512, 513 and 139) have no underground crude pipelines



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- c) Further, all pipelines of the Respondent Applicant are regularly monitored and audited by Oil Industry Safety Directorate (OISD) periodically and found to be in good condition and no leakage or seepage has occurred in the Reserve Forest. It is pertinent to mention that OISD as established in 1986 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.
- d) The oily sludge pits observed in the area are legacy remnants from pre-nationalization operations conducted by the Assam Oil Company, established in 1889. Following the nationalization of the oil sector in 1981, these historical pits were inherited by Oil India Limited (OIL). It is reiterated that no operations were carried out by the Respondent Applicant ever since.
- e) Over time, the accumulation of oily material in these pits has primarily resulted from the natural phenomenon of crude seepage, a well-documented and long-recognized occurrence in the Digboi Oilfields. The unique historical and geographical



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characteristics of the Digboi Oilfield have also been acknowledged by the Hon'ble National Green Tribunal in its Order dated 08.12.2017. The said Order expressly records the Committee's observation of natural oily seepage in Drain No. 1 of the Digboi Oilfield-an observation that has remained unchallenged by any party to date.

- f) Acting on its own accord, OIL has undertaken several rounds of bioremediation of these legacy pits using *Oil Zapper* microbial technology. These eco-friendly interventions have consistently achieved significant reduction of Total Petroleum Hydrocarbons (TPH) to negligible levels, thereby demonstrating OIL's proactive and responsible environmental management approach.
- g) Admittedly, the Joint Committee's findings are not backed by any photographs or field reports. In case of any oil spill, OIL immediately takes action to clean and restore the affected area as per its internal SOPs.
- h) The wells are spread over a wide area, and many are abandoned in dense forest regions, regular physical monitoring of every site is extremely difficult. Further, iron fencing has been provided around well



sites, but due to repeated thefts, some wells may occasionally remain without fencing. Needless to say, OIL continues to fix such issues whenever they arise.

- i) Furthermore, the oilfield has been operational since 1889, and OIL took over in 1981. Since then, OIL has maintained the records of wells, which are regularly audited by independent and statutory agencies. There are around 982 wells in total and about 644 are shut-in, 293 are abandoned, and 45 are currently producing.
- j) OIL has been carrying out bioremediation of oily sludge even before the Hon'ble Tribunal's judgment on the matter. Whenever oil sludge or seepage is found due to natural causes, OIL undertakes bioremediation work from time to time. Despite these regular efforts, oil seepage continues to occur naturally in some areas.
- k) It may also be noted that not every abandoned well has an associated pit, and the exact origin of some pits is undocumented; however, these are not the result of any activities carried out by OIL.
- l) The Divisional Forest Officer, Digboi Division, through Letter No. B/NGT/2022/2743-45 dated 16.11.2022, had requested details of sludge pits and



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contaminated water bodies around the Dehing Patkai Elephant Reserve. In response, OIL submitted a detailed reply on 28.11.2022, providing geo-coordinates and maps showing both natural and artificial pits in the Digboi Oilfield.

A copy of the letter dated 16.11.2022 is enclosed herewith and marked as **Annexure-R9**. A copy of the reply dated 28.11.2022 to the letter dated 16.11.2022 is enclosed herewith and marked as **Annexure-R10**.

- m) Further, the oily sludge observed in these areas is the result of natural seepage and not due to any activity or negligence by OIL.
- n) Bioremediation work in the region has been carried out since 2010, and all oil-contaminated material has already been treated through bioremediation measures. Since the seepage is naturally recurring, traces of oily sludge may occasionally reappear.
- o) In fact, the tests conducted on soil samples collected from pits (visited by the Joint Committee) near wells-before and after the use of Oil Zapper technology showed a significant reduction in Total Petroleum Hydrocarbon (TPH) levels. In view thereof, it is found that the bioremediation process



using Oil Zapper has successfully reduced hydrocarbon content to negligible levels around the affected sites.

- p) This Hon'ble Tribunal has already observed that OIL is not releasing any untreated oil effluent into open sludge pits, and that the oily sludge found in some areas is due to natural seepage, not because of any action or negligence by OIL.
- q) The bioremediation process at these sites has now been completed. OIL continues to monitor the area regularly and undertakes fresh bioremediation whenever required to ensure that the sites remain clean and environmentally safe.

5.2 This instant matter has no bearing on the EC application pending with the Respondent No. 1

- a) On 04.12.2023, MoEF & CC/Respondent No. 1 issued a letter/ communication to Respondent No. 7, after a period of two (2) years from the EAC recommendation with respect to the Environmental Clearance with certain conditions, requesting Respondent No. 7 to approach the Ministry after the outcome of the captioned matter pending before this Hon'ble National Green Tribunal.



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No. 19 of 2014 from the outset, the issues relating to wildlife and the status of the said proceedings were already within the institutional framework of the MoEF &CC as they are also a Respondent party before this Hon'ble Tribunal.

- f) As the ongoing petitions and all their concerns had been adequately addressed by the Respondent No. 7, EAC probably realized that Respondent No. 7 has adequate strength and an Environmental Management Plan to take care of all issues connected with forest reserves, elephant corridor and biodiversity in general.
- g) It is a matter of fact that Respondent No. 7 has a fundamental duty to ensure energy security of our country. As natural gas is a cleaner source of energy and its timely extraction further helps climate restoration, access to energy and India's commitment to International Treaties for promoting clean energy.
- h) Respondent No. 7 has always been at the forefront of embracing new technologies and concepts for opening new vistas and putting a stride forward towards sustainable energy security of the nation.



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- i) This delay hampers Respondent No. 7's progress towards energy self-sufficiency and the economic growth of the country.

Para-wise Reply

6. The contents of paras 1 & 2 of the Reply Affidavit is a matter of record and merit no response.
7. The contents of para 3 of the Reply Affidavit are incorrect, misinterpreted and hence denied in toto. The contents of the Preliminary Submissions hereinabove may be read as part of the response to the instant paragraph under response as the same are not being repeated for the sake of brevity. It is clarified that the present application is not a sheer abuse of the process of law and has been filed by the Respondent Applicant merely seeking the Environment Clearance Application to be considered by the Respondent No. 1.
8. The contents of paras 4, 5 & 6 are incorrect, misinterpreted and hence denied save and except for what are matters of record. The contents of para 5.1 of the Preliminary Submissions hereinabove may be read as part of the response to the instant paragraph under response as the same are not being repeated for the sake of brevity. It is reiterated that the Respondent Applicant has complied with / responded to the observations of the Joint Committee from time to time as also recorded



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in multiple communications as enclosed hereto. It is further clarified that the Respondent Applicant has not committed any blatant violation of environmental norms. Infact, the seepage which is a natural phenomenon has been bio-remediated by the Respondent Applicant since 2010 as detailed in the preliminary submissions, specifically para 5.1.

9. The contents of para 7 of the Reply Affidavit is misinterpreted and hence denied save and except for what are matters of record. The Rejoinder affidavit of Respondent Applicant to the Reply affidavit of Respondent No. 1 be read as part and parcel to the instant para under response as the same is not being repeated herein for the sake of brevity. It is clarified that the Applicant Respondent also tendered an undertaking to drop the well no. 833 which falls within 1 Km distance from the Bogapani Elephant corridor and clarified that none of the locations are falling within 10 Km Eco Sensitive Zone (ESZ) areas of Dehing-Patkai National Park (NP) and all other locations are more than 1 Km away from the Bogapani Elephant corridor.
10. The contents of paras 8 & 9¹⁰ of the Reply Affidavit are vague, false and defamatory, hence denied. It is clarified that the Applicant Respondent has been compliant with all environmental norms. Needless to mention, the vague allegations of the Applicant without any basis or merit are vehemently denied. Further, the Applicant



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Respondent craves leave of this Hon'ble Tribunal to respond to any baseless document or record which the Original Applicant may rely upon in this regard, in due course. Further, the unique historical and geographical characteristics of the Digboi Oilfield have also been acknowledged by this Hon'ble Tribunal in its Order dated 08.12.2017. The said Order expressly records the Committee's observation of natural oily seepage in Drain No. 1 of the Digboi Oilfield-an observation that has remained unchallenged by any party to date. Hence, any independent committee as this Hon'ble Tribunal may take the said records into consideration.

11. In view of the above, it is humbly submitted that the instant application made by the Respondent Applicant / OIL may be allowed in the larger interest of the energy sector of the country.
12. It is submitted that in an event the instant Application is not allowed then it will cause prejudice to the Respondent No. 7. This Application is made bona fide and in the interest of justice.

PRAYER

In view of the facts and circumstances mentioned hereinabove, the Respondent No. 7 humbly prays that this Hon'ble Tribunal may be graciously pleased to:



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- a. Allow the instant Application and set aside the communication dated 04.12.2023 issued by the Respondent No. 1 to the Respondent No. 7;
- b. Direct MoEF & CC/Respondent No. 1 to decide the pending application number IA/AS/IND/220363/2007, J-11011/1251/2007-IA II (I) for grant of Environmental Clearance to Respondent No. 7;
- c. Issue directions in respect of OA No. 19 of 2014, ensuring that the ongoing court proceedings do not hinder or affect any ongoing or proposed forest clearance, wildlife clearance, or Exploration and Production (E&P) projects in the surrounding areas in the interest of the country; and
- d. Pass such further and other orders/ directions as deemed fit and proper in the facts and circumstances of the case.



RESPONDENT NO. 7
Dr. Kumudani Sharma
GM (Legal)
Oil India Limited
Authorised Signatory

THROUGH



For, Trust Legal Advocates & Consultants
Petal Chandhok
Counsel for the Respondent No. 7
Off.: C-324, II & III Floor,
Defence Colony, New Delhi-110024
Ph.: (+91) 9654025754; (+9111) 40525619
Email: petalchandhok@trustlegal.in

Place: N/D.

Date: 21/11/25

**BEFORE NATIONAL GREEN TRIBUNAL
NEW DELHI
I.A. NO. 533 OF 2025
IN
O.A. NO. 19 OF 2014**

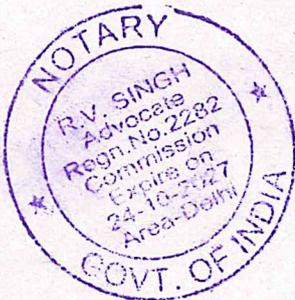
IN THE MATTER OF:

Dr. Kashmira Kakati ...Applicant
Versus
Union of India & Ors. ...Respondents

AFFIDAVIT ON BEHALF OF THE RESPONDENT NO. 7

I, Dr. Kumudani Sharma, General Manager (Legal), the Authorized Representative of the Respondent No, 7, having its Corporate Office at Plot No. 19, Sector 16 A, Film City, Noida 201301, Uttar Pradesh, today present at Delhi, do hereby solemnly affirm and submit:

1. I state that I am the authorised representative of the Respondent No. 7 in the present case and am well conversant with the facts and circumstances of the case and as such competent to swear this affidavit.
2. I state that the contents of the Rejoinder are true and correct to my knowledge and based on the records maintained and made available by the Respondent No. 7, which may be read as a part and parcel of the present Affidavit.
3. I state that all the Rejoinder being filed along with the accompanying Application are true copies of their



respective originals and annexures are attached herewith

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DEPONENT
Dr. Kumudani Sharma
GM (Legal)
Oil India Limited
Authorised Signatory

VERIFICATION:

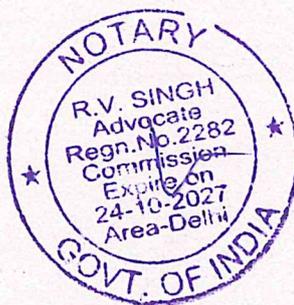
21 NOV 2025

Verified at _____ on this ____ day of November 2025 that the contents of the above Affidavit are true and correct to the best of my knowledge and derived from the records maintained by the Respondent No. 7, no part of it is false and nothing material has been concealed therefrom.

[Handwritten Signature]
I identified the deponent/executant who has signed in my presence

[Handwritten Signature]

DEPONENT
Dr. Kumudani Sharma
GM (Legal)
Oil India Limited
Authorised Signatory



solemnly affirmed before me, read over & explained to the deponent

Notary Public, DELHI

21 NOV 2025

Ref No. S&E/E43 (14)/995

Date: 09.10.2023

To
The Director - IA, II(I) &
The Member Secretary, EAC Industry – II,
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhawan,
Jor Bagh Road,
New Delhi – 110 003.

Sub: Reply to ADS for the application seeking Environmental Clearance (EC) for Onshore Oil & Gas Development drilling and production in Dumduma-Pengeri Area in Tinsukia District under PMLs namely Mechaki PML, Borhapjan PML, Dumduma PML and Digboi PML.

Ref: Proposal No. IA/AS/IND2/220363/2007 & File No. J-11011/1251/2007 - IA II (I).

Sir,

Oil India Ltd. (OIL) submitted application for Environmental Clearance for the proposal “Onshore Oil & Gas Development drilling and production in Dumduma-Pengeri Area in Tinsukia District under PMLs namely Mechaki PML, Borhapjan PML, Dumduma PML and Digboi PML” vide proposal no. IA/AS/IND2/220363/2007.

An ADS was raised on 05.09.2023, please find below the point wise compliance to the observations of the committee constituted as per order dated 08.12.2017.

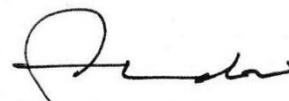
S No.	Observation	Compliance
1.	Oil is leaking from underground pipelines in the Reserve forest.	Committee visited three sites namely Pit No. 512, 513 and 139 in the Digboi region and prepared the report based on those findings alone. The concerned premises as inspected by the committee doesn't have any crude oil pipeline. There is no leakage or seepage of crude oil through any underground pipelines in the Reserve Forest area. Also, all the pipelines are periodically supervised and monitored by OIL.
2.	At several places, oily sludge pits of abandoned wells have been found and natural drains pass through these pits.	Digboi Oil Fields have been in existing since last 100 years. The Crude Oil was discovered in the far east of India at Digboi in 1889 by the erstwhile Assam Railway & Trading Co (AR&T), which subsequently developed the Digboi Oil Field, located within the present day Dihing Patkai Reserve Forest. OIL came into existence, much later in the year 1959 as a Joint Venture Company of Burmah Oil Company and Government of India and was subsequently fully nationalized in the year 1981. Oil India Limited has inherited a few pits containing oily debris located within the Reserved Forest from the erstwhile Assam Railway & Trading Co (AR&T). However, OIL has carried out bio-remediation of natural phenomenon of oil seepage using Oil Zapper technology. Also, in the NGT order dated 08.12.2017, it was mentioned that the committee noticed natural seepage in drain no.1 of Digboi oil field which was also accepted by the Tribunal.

S No.	Observation	Compliance
3.	Oil spill have been found in several oil producing wells and Crude Gathering Stations. No fencing had been provided at these well sites.	No oil spill exists in these areas as mentioned by the committee in the report. However, if any oil spill occurs during operations or any other concern is found in the pipeline, the same is rectified immediately and the site is cleaned and restored. OIL has provided iron fencings at the well sites, but due to miscreant activities and thefts by the locals, fencing is missing at some of the sites. OIL is carrying out regular inspection of well sites and providing fencings wherever necessary.
4.	More than 800 wells have been drilled since the operation of Burma Oil Company Limited. OIL India Ltd. does not even have the inventories of these abandoned oil wells, let alone treatment of these pits.	Oilfields are in operation since 1889 and OIL was incorporated in 1959 and has inherited these fields from the erstwhile Assam Railway & Trading Co (AR&T). Post 1959, OIL is maintaining the inventory of the wells (644 nos. of shut-in wells, 293 nos. of abandoned wells, 45 are producing wells). Also, OIL has been carrying out bioremediation whenever oily sludge/seepage is found in any of the pits due to natural phenomenon.
5.	In the three oil sludge remediation sites visited, the remediation has not resulted in complete conversion of oily sludge into biodegradable matter. They do not even maintain the inventors of abandoned oil wells.	OIL has carried out bioremediation activities in the pits but due to reoccurrence of natural seepage, oil sludge accumulation was observed. OIL has carried out Bioremediation of these pits and will continue to carry out the bioremediation whenever seepage is observed. Also, OIL is maintaining the inventories of the wells post 1959.
6.	OIL India Ltd. has been unable to stop the release of untreated oil effluent in open sludge pits and seepage areas around oil rigs in the Digboi Oil field.	In the Hon'ble NGT judgement it was mentioned that no untreated oil effluent in open sludge pits is being released by OIL and the occurrence of oily sludges is owing to natural seepage and not due to any action/inaction of OIL.

You are requested to consider the above proposal for grant of Environmental Clearance based on the above information.

Thanking you

Yours faithfully,



(Ajit Chandra Haloi)

Executive Director (HSE) &
Nodal Officer (EC, FC, NBWL)
For Resident Chief Executive

(A C Haloi)
ED - (HSE)
Nodal Officer (EC/FC/NBWL)
OIL INDIA LIMITED



ऑयल इंडिया
OIL INDIA

HSE Department

Oil India Limited

Duliajan, Dibrugarh, 786602, Assam

Phone : 0374-2800542

Email: safety@oilindia.in

संदर्भ सं./Ref. No.: S&E/E/43 (14)/200

दिनांक/Date: 23.02.2024

From	:	Chief General Manager (HSE) I/C
To	:	The Director - IA, II(I) & The Member Secretary, EAC Industry - II, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110 003.
Subject	:	Reply to ADS for the application seeking Environmental Clearance (EC) for Onshore Oil & Gas Development drilling and production in Dumduma-Pengeri Area in Tinsukia District under PMLs namely Mechaki PML, Borhapjan PML, Dumduma PML and Digboi PML.
Ref	:	Proposal No. IA/AS/IND2/220363/2007 & File No. J-11011/1251/2007 - IA II (I).

Sir,

Oil India Ltd. (OIL) applied for Environmental Clearance for the proposal "Onshore Oil & Gas Development drilling and production in Dumduma-Pengeri Area in Tinsukia District under PMLs namely Mechaki PML, Borhapjan PML, Dumduma PML and Digboi PML" vide proposal no. IA/AS/IND2/220363/2007.

An ADS was raised on 04.12.2023 to submit the compliance to the observation of the Ministry committee report dated 04.01.2023 related to the ongoing court case in compliance to Hon'ble NGT Judgement dated 08.12.2017 in Original Application No. 19 of 2014 filed in Dr. Kashmiri Kakati vs UoI & Ors. The point-wise reply to the committee's findings is enclosed as **Annexure - I**.

Thanking you.

(Rajendra Singh Garbyal)
Chief General Manager (HSE) I/C
Nodal Officer (EC, FC, NBWL)
For Resident Chief Executive

Encl: As above.

Annexure - I

The findings of the Committee with respect to OIL and the responses are as follows:

1. Finding No. 1: **Oil is leaking from underground pipelines in the Reserve Forest**

- i. The Committee has alleged that pipelines have been found to be leaking however, no specifications have been provided by the Ld. Committee with respect to the said area /block. It may be noted that the Committee visited only 3 sites, namely Pit No. 512, 513 and 139 in the concerned Digboi region wherein there are no underground crude oil pipelines.
- ii. OIL periodically monitors and supervises its pipelines and all its pipelines are in good condition. Additionally, these pipelines are also audited by Oil Industry Safety Directorate (OISD) periodically. In view of the above, it is reiterated that there is no leakage or seepage of crude oil through any underground pipelines in the Reserve Forest area.

2. Finding No. 2: **At several places, oily sludge pits of abandoned wells have been found and natural drains pass through these pits.**

- i. It is pertinent to mention that the Digboi Oilfield has a rich historical background which plays a significant role in the present context. The concerned Digboi Oilfields have been in existence for more than 125 years. The crude oil was discovered at Digboi in 1889 by the erstwhile Assam Railway & Trading Co (AR&T), which subsequently developed the Digboi Oil Field, located within the present-day Dihing Patkai Reserve Forest area.
- ii. OIL came into existence, much later in the year 1959 with oil resources of Nahorkatiya, Hoogrijan & Moran field with 48 wells as a Joint Venture Company of Burmah Oil Company and Government of India. OIL was subsequently nationalized in the year 1981 as a result of nationalisation, OIL acquired the assets of Digboi oilfield which were under control of Assam Oil Company till then.
- iii. OIL along with the Digboi Oilfield also inherited a few pits containing oily debris located within the Reserved Forest. Since then, OIL has undertaken proactive measures for bioremediation of the oily debris accumulated due to natural phenomenon of oily seepage.

- iv. It is humbly submitted and reiterated that the historical and geographical background of the Digboi Oilfield has also been well accepted by the NGT in the Impugned Order dated 08.12.2017 since the Impugned Order *inter alia* specifically records that the *Committee noticed natural seepage in drain no. 1 of Digboi Oilfield* and has not been challenged by any party till date.
 - v. Though, seepage of oil is accepted as a natural phenomenon by the Hon'ble NGT, OIL has on its own accord undertaken bio-remediation activities by using Oil zapper technology in the Digboi Oilfield region and has been successful in reducing the Total Petroleum Hydrocarbons (TPH) in the area to negligent levels. Oil zapper technology utilizes the bioremediation potential of specific microbes that degrades the toxic hydrocarbon compounds leaving behind non-hazardous end products or metabolites and hence no harmful effects. Not only this is environment-friendly technique, but also is highly cost effective when compared to storage of oily waste/oily sludge in sludge pits.
3. Finding No. 3: **Oil spill have been found in several oil producing wells and Crude Gathering Stations. No fencing had been provided at these well sites.**
- i. It is most humbly submitted that the findings of the Committee are unfortunately not supported by any pictures or on ground task reports. However, it merits the attention of your office that in case an oil spill occurs, the same is rectified immediately and the site is cleaned and restored, as per the internal SOPs of OIL.
 - ii. It is further humbly submitted that OIL had also iron fenced well sites, howsoever owing to number of thefts of iron fencing, at time few wells may be unfenced. OIL, time and again addresses these concerns, even though the issue of theft is a recurring one. Since, the wells are spread over a large area most of them are abandoned wells, physical monitoring of these wells in thick and dense forest becomes practically impossible.
4. Finding No. 4: **More than 800 wells have been drilled since the operation of Burma Oil Company Ltd. Oil India Ltd does not even have the inventories of these abandoned on wells, let alone treatment of these pits.**
- i. It is humbly submitted that the oilfields have been in operation since 1889 and OIL inherited the Oilfield in 1981 only. Since then, OIL has been maintaining the wells records and the same have been subjected to various audits by independent/statutory agencies. There are a total of about 982 wells out of

which about 651 are shut-in, about 293 are abandoned and 38 are producing wells.

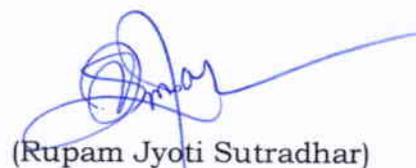
- ii. It is further most humbly submitted that OIL has been carrying out the task of Bioremediation of these oily sludges much prior to the Judgment passed by the Hon'ble NGT.
- iii. It is humbly submitted that as and when oily sludge/seepage is found due to the natural phenomenon, OIL undertakes bio- remediation of the area time to time. Despite the bio-remediation work being carried out in the area, the oil seepage has been observed to be a natural seepage and is recurring in nature.
- iv. It is stated that the Office of Divisional Forest Officer, Digboi Division by Letter no. B/NGT/2022/2743-45 dated 16.11.2022 had requested OIL to provide details, including location, number of pits, geo-coordinates, area and map of the open sludge pits, oil pits and contaminated water bodies in and around the Dihing Patkai Elephant Reserve. OIL accordingly in bona fide *vide* reply dated 28.11.2022 had shared the geo-coordinates of the Natural and artificial pits in the Digboi Oil Field along with the Map showing the location of the pits.

5. **Finding No. 5: In the three oil sludge remediation sites visited, the remediation has not resulted in complete conversion of oily sludge into biodegradable matter. They do not even maintain the inventories of abandoned oil wells.**

- i. It is most humbly stated that as per the findings of the Committee, despite the bio-remediation work being carried out in the area, oil seepage has been observed, which appears to be a natural seepage and not owing to any action or inaction of OIL. OIL has been taking remedial measures since July 2010 and the entire oil debris has already been treated through Bio remedial measures. since it is a natural phenomenon, the recurrence of the oily sludges has been observed in the Region.
- ii. It is submitted that given the said circumstances, OIL is again undertaking bio-remediation work in the area and shall continue to address the issue, as and when observed.

6. **Finding No. 6: Oil India limited has been unable to stop the release of untreated oil effluent in open sludge pits and seepage areas around oil rigs in the Digboi Oil field.**

- i. It is submitted that the judgment passed by the Hon'ble NGT observes that no untreated oil effluent in open sludge pits is being released by OIL and that occurrence of oily sludges as witnessed owing to natural seepage and not due to any action/ inaction of OIL as against the finding of the Committee.
 - ii. It is most humbly stated that the reports of the pits (visited by the Committee) for the test conducted to examine the soil quality by taking a sample of Oily sludge in proximity of wells as prevalent before and after application of Oil Zapper shows remarkable deduction in presence of Total Petroleum Hydrocarbons (HE-TPH). It is most humbly stated that evidently the process of Bio-remediation and application of Oil Zapper technology has aided drastic reduction in the amount of Hydrocarbons to negligent levels in the areas adjoining the oil wells.
 - iii. However, it is most humbly stated that the fresh seepage as observed is possibly due to a natural phenomenon and appropriate actions have been taken for bioremediation by OIL through TERI. The experts from TERI visited the concerned site for analysis of the present circumstances and the proposal on bioremediation is being submitted by them.
2. We trust the above response to the findings of the committee provides sufficient clarification as desired.



(Rupam Jyoti Sutradhar)

Deputy General Manager (HSE)

**HSE Department**

Oil India Limited

Duliajan, Dibrugarh, 786602, Assam

Phone : 0374-2800542

Email: safety@oilindia.in

संदर्भ सं./Ref. No.: S&E/E/43 (14)/640

दिनांक/Date: 19.06.2024

From	:	Executive Director (HSE &ESG)
To	:	The Director - IA, II(I) & The Member Secretary, EAC Industry – II, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi – 110 003.
Subject	:	Reply to ADS for the application seeking Environmental Clearance (EC) for Onshore Oil & Gas Development drilling and production in Dumduma-Pengeri Area in Tinsukia District under PMLs namely Mechaki PML, Borhapan PML, Dumduma PML and Digboi PML.
Ref	:	Proposal No. IA/AS/IND2/220363/2007 & File No. J-11011/1251/2007 - IA II (I).

Sir,

Oil India Ltd. (OIL) applied for Environmental Clearance for the proposal "Onshore Oil & Gas Development drilling and production in Dumduma-Pengeri Area in Tinsukia District under PMLs namely Mechaki PML, Borhapan PML, Dumduma PML and Digboi PML" vide proposal no. IA/AS/IND2/220363/2007.

An ADS was raised on 20.05.2023 seeking the compliance of ADS letter dated 04.12.2023, where OIL has been advised to approach the Ministry after final outcome of the ongoing court case and meanwhile submit the compliance to the observation of the Ministry's committee report dated 04.01.2023.

In this regard, we would like to inform you that OIL's reply to the observation of the Ministry committee report dated 04.01.2023 was already submitted to your esteemed office vide our letter Ref No.: S&E/E/43 (14)/200 dated 23.02.2024. (Copy Enclosed as **Annexure-1**) and the present status of the proceeding of the Hon'ble NGT order dated 24.07.2023 is given as below:

"On hearing dated 14.09.2023, the Hon'ble NGT directed OIL to file fresh affidavit within four weeks. Accordingly, OIL filed detailed counter affidavit before the Hon'ble NGT. However, Respondent No. 2 State of Assam and Respondent No. 4, Assam State Pollution Control Board have sought time to file the reply within three weeks as per last order dated 08.04.2024. The next hearing is fixed on 18.07.2024".

OIL vide letter dated 27.01.2023, has also requested to Ministry that our proposed wells of Dumduma Pengry Proposal are located more than 10 km from Dehing Patkai National Park and also assured to drop one proposed well No 833 which is at a dispance of one kilometer from the Bopagani Elephant Corridor and our other proposed locations are more than 1 km from Bogapani Elephant Corridor.(Copy enclosed **Annexure-2**)

View above, we request your good office, to kindly consider our submission and extend your support for further processing of the Proposal for the grant of Environmnet Clearance.

Thanking you.

कार्यकारी निदेशक (एवरसई एवं ईएसजी)
Executive Director (HSE & ESG)
नोडल अधिकारी (ईओ/एफसी/एनबीएल)
Nodal Officer (EC/FC/NBWL)
ऑयल इंडिया लिमिटेड
Oil India Limited

(Rajendra Singh Garbyal)
Executive Director (HSE & ESG)
Nodal Officer (EC, FC, NBWL)
For Resident Chief Executive

Encl: As above.



HSE Department
Oil India Limited
Duliajan, Dibrugarh, 786602, Assam
Phone : 0374-2800542
Email: safety@oilindia.in

संदर्भ सं./Ref. No.: S&E/E/43 (14)/200

दिनांक/Date: 23.02.2024

From	:	Chief General Manager (HSE) I/C
To	:	The Director - IA, II(I) & The Member Secretary, EAC Industry - II, Ministry of Environment, Forest & Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110 003.
Subject	:	Reply to ADS for the application seeking Environmental Clearance (EC) for Onshore Oil & Gas Development drilling and production in Dumduma-Pengeri Area in Tinsukia District under PMLs namely Mechaki PML, Borhapan PML, Dumduma PML and Digboi PML.
Ref	:	Proposal No. IA/AS/IND2/220363/2007 & File No. J-11011/1251/2007 - IA II (I).

Sir,

Oil India Ltd. (OIL) applied for Environmental Clearance for the proposal "Onshore Oil & Gas Development drilling and production in Dumduma-Pengeri Area in Tinsukia District under PMLs namely Mechaki PML, Borhapan PML, Dumduma PML and Digboi PML" vide proposal no. IA/AS/IND2/220363/2007.

An ADS was raised on 04.12.2023 to submit the compliance to the observation of the Ministry committee report dated 04.01.2023 related to the ongoing court case in compliance to Hon'ble NGT Judgement dated 08.12.2017 in Original Application No. 19 of 2014 filed in Dr. Kashmiri Kakati vs UoI & Ors. The point-wise reply to the committee's findings is enclosed as **Annexure - I**.

Thanking you.

(Rajendra Singh Garbyal)
Chief General Manager (HSE) I/C
Nodal Officer (EC, FC, NBWL)
For Resident Chief Executive

Encl: As above.

Annexure - I

The findings of the Committee with respect to OIL and the responses are as follows:

1. Finding No. 1: **Oil is leaking from underground pipelines in the Reserve Forest**

- i. The Committee has alleged that pipelines have been found to be leaking however, no specifications have been provided by the Ld. Committee with respect to the said area /block. It may be noted that the Committee visited only 3 sites, namely Pit No. 512, 513 and 139 in the concerned Digboi region wherein there are no underground crude oil pipelines.
- ii. OIL periodically monitors and supervises its pipelines and all its pipelines are in good condition. Additionally, these pipelines are also audited by Oil Industry Safety Directorate (OISD) periodically. In view of the above, it is reiterated that there is no leakage or seepage of crude oil through any underground pipelines in the Reserve Forest area.

2. Finding No. 2: **At several places, oily sludge pits of abandoned wells have been found and natural drains pass through these pits.**

- i. It is pertinent to mention that the Digboi Oilfield has a rich historical background which plays a significant role in the present context. The concerned Digboi Oilfields have been in existence for more than 125 years. The crude oil was discovered at Digboi in 1889 by the erstwhile Assam Railway & Trading Co (AR&T), which subsequently developed the Digboi Oil Field, located within the present-day Dihing Patkai Reserve Forest area.
- ii. OIL came into existence, much later in the year 1959 with oil resources of Nahorkatiya, Hoogrijan & Moran field with 48 wells as a Joint Venture Company of Burmah Oil Company and Government of India. OIL was subsequently nationalized in the year 1981 as a result of nationalisation, OIL acquired the assets of Digboi oilfield which were under control of Assam Oil Company till then.
- iii. OIL along with the Digboi Oilfield also inherited a few pits containing oily debris located within the Reserved Forest. Since then, OIL has undertaken proactive measures for bioremediation of the oily debris accumulated due to natural phenomenon of oily seepage.

- iv. It is humbly submitted and reiterated that the historical and geographical background of the Digboi Oilfield has also been well accepted by the NGT in the Impugned Order dated 08.12.2017 since the Impugned Order *inter alia* specifically records that the *Committee noticed natural seepage in drain no. 1 of Digboi Oilfield* and has not been challenged by any party till date.
 - v. Though, seepage of oil is accepted as a natural phenomenon by the Hon'ble NGT, OIL has on its own accord undertaken bio-remediation activities by using Oil zapper technology in the Digboi Oilfield region and has been successful in reducing the Total Petroleum Hydrocarbons (TPH) in the area to negligent levels. Oil zapper technology utilizes the bioremediation potential of specific microbes that degrades the toxic hydrocarbon compounds leaving behind non-hazardous end products or metabolites and hence no harmful effects. Not only this is environment-friendly technique, but also is highly cost effective when compared to storage of oily waste/oily sludge in sludge pits.
3. Finding No. 3: **Oil spill have been found in several oil producing wells and Crude Gathering Stations. No fencing had been provided at these well sites.**
- i. It is most humbly submitted that the findings of the Committee are unfortunately not supported by any pictures or on ground task reports. However, it merits the attention of your office that in case an oil spill occurs, the same is rectified immediately and the site is cleaned and restored, as per the internal SOPs of OIL.
 - ii. It is further humbly submitted that OIL had also iron fenced well sites, howsoever owing to number of thefts of iron fencing, at time few wells may be unfenced. OIL, time and again addresses these concerns, even though the issue of theft is a recurring one. Since, the wells are spread over a large area most of them are abandoned wells, physical monitoring of these wells in thick and dense forest becomes practically impossible.
4. Finding No. 4: **More than 800 wells have been drilled since the operation of Burma Oil Company Ltd. Oil India Ltd does not even have the inventories of these abandoned on wells, let alone treatment of these pits.**
- i. It is humbly submitted that the oilfields have been in operation since 1889 and OIL inherited the Oilfield in 1981 only. Since then, OIL has been maintaining the wells records and the same have been subjected to various audits by independent/statutory agencies. There are a total of about 982 wells out of

which about 651 are shut-in, about 293 are abandoned and 38 are producing wells.

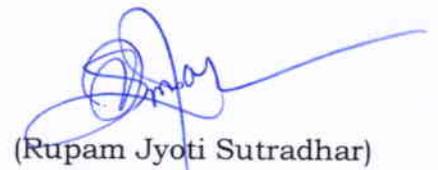
- ii. It is further most humbly submitted that OIL has been carrying out the task of Bioremediation of these oily sludges much prior to the Judgment passed by the Hon'ble NGT.
- iii. It is humbly submitted that as and when oily sludge/seepage is found due to the natural phenomenon, OIL undertakes bio- remediation of the area time to time. Despite the bio-remediation work being carried out in the area, the oil seepage has been observed to be a natural seepage and is recurring in nature.
- iv. It is stated that the Office of Divisional Forest Officer, Digboi Division by Letter no. B/NGT/2022/2743-45 dated 16.11.2022 had requested OIL to provide details, including location, number of pits, geo-coordinates, area and map of the open sludge pits, oil pits and contaminated water bodies in and around the Dihing Patkai Elephant Reserve. OIL accordingly in bona fide *vide* reply dated 28.11.2022 had shared the geo-coordinates of the Natural and artificial pits in the Digboi Oil Field along with the Map showing the location of the pits.

5. **Finding No. 5: In the three oil sludge remediation sites visited, the remediation has not resulted in complete conversion of oily sludge into biodegradable matter. They do not even maintain the inventories of abandoned oil wells.**

- i. It is most humbly stated that as per the findings of the Committee, despite the bio-remediation work being carried out in the area, oil seepage has been observed, which appears to be a natural seepage and not owing to any action or inaction of OIL. OIL has been taking remedial measures since July 2010 and the entire oil debris has already been treated through Bio remedial measures. since it is a natural phenomenon, the recurrence of the oily sludges has been observed in the Region.
- ii. It is submitted that given the said circumstances, OIL is again undertaking bio-remediation work in the area and shall continue to address the issue, as and when observed.

6. **Finding No. 6: Oil India limited has been unable to stop the release of untreated oil effluent in open sludge pits and seepage areas around oil rigs in the Digboi Oil field.**

- i. It is submitted that the judgment passed by the Hon'ble NGT observes that no untreated oil effluent in open sludge pits is being released by OIL and that occurrence of oily sludges as witnessed owing to natural seepage and not due to any action/ inaction of OIL as against the finding of the Committee.
 - ii. It is most humbly stated that the reports of the pits (visited by the Committee) for the test conducted to examine the soil quality by taking a sample of Oily sludge in proximity of wells as prevalent before and after application of Oil Zapper shows remarkable deduction in presence of Total Petroleum Hydrocarbons (HE-TPH). It is most humbly stated that evidently the process of Bio-remediation and application of Oil Zapper technology has aided drastic reduction in the amount of Hydrocarbons to negligent levels in the areas adjoining the oil wells.
 - iii. However, it is most humbly stated that the fresh seepage as observed is possibly due to a natural phenomenon and appropriate actions have been taken for bioremediation by OIL through TERI. The experts from TERI visited the concerned site for analysis of the present circumstances and the proposal on bioremediation is being submitted by them.
2. We trust the above response to the findings of the committee provides sufficient clarification as desired.



(Rupam Jyoti Sutradhar)

Deputy General Manager (HSE)



Ref No. S&E/E43(14)/ 97

Date: 27.01.2023

To
The Director,
IA (II) Division,
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhawan,
Jor Bagh Road,
New Delhi – 110 003

Subject: Application seeking Environmental Clearance (EC) for proposed Onshore Oil and Gas development drilling and production in Tinsukia district under PMLs namely Mechaki PML, Borhapan PML, Dumduma PML and Digboi PML.

Reference: **MOEF&CC Letter No.- IA-J-11011/1251/2007-IA II (I) dated 8th March 2022**
Online Proposal No. IA/AS/IND2/220363/2007

Oil India Ltd. (OIL) intends to carry out Onshore Oil and Gas development drilling and production in Tinsukia district under PMLs namely Mechaki PML, Borhapan PML, Dumduma PML and Digboi PML. OIL has submitted the application online and the proposal no. is IA/AS/IND2/220363/2007.

The MoEF&CC IA-Divisions had some observations related to the proposal and send a letter (No.- IA-J-11011/1251/2007-IA II (I) dated 8th March 2022) to Principal Chief Conservator of Forests, Assam for his expert opinion and feedback. The ADS and response are provided below.

S No.	Queries	Response
1.	It was observed that Bogapani Elephant Corridor is located within 1 km of the proposed wells further the proposed area falls under the critical elephant habitat and corridor which connects the two states Assam and Arunachal Pradesh. The proposed diversion is completely falling under the Dihing-Patkai Elephant Reserve, Assam and South Arunachal Elephant Reserve, Arunachal Pradesh.	<p>Bogapani Elephant Corridor is in Digboi Forest Division. The length and width of the corridor is 2.5-3.0 km and 0.5-1 km respectively. The frequency of usage of the corridor by elephant is Regular (Seasonal; September to February). Elephants move through Bogapani Tea Gardens, agricultural fields and human habitations once they have crossed NH 38 and the railway track near Ramnagar village. This railway track along with the national highway, is a major impediment to elephant movement in the corridor.</p> <p>[Source: <i>Right of Passage (2017). Elephant Corridors of India [2nd Edition]. Menon, V, Tiwari, S K, Ramkumar, K, Kyarong, S, Ganguly, U and Sukumar, R (Eds.). Conservation Reference Series No. 3. Wildlife Trust of India, New Delhi.</i></p> <p>Out of 26 wells and 3 production installations, one well 833 is located within 1 km from the boundary of the Bogapani Elephant Corridor. The proposed well no. 833 will be dropped from the current proposal. Well locations and corridor distance plotted in toposheet is presented as Annexure-I.</p> <p>The proposed wells and production installations are located more than 10 km from Dehing Patkai National Park.</p> <p>During the period of active movement of elephants (September-February) in the area, site development and drilling activities at wells near the Bogapani Elephant Corridor will be avoided.</p>

Some additional mitigation measures to be undertaken by the project include

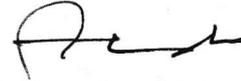
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- DG sets will be provided with acoustic enclosures and fence line noise barriers will be provided to reduce level of noise emitted from the drill sites;
- Appropriate shading of lights to be provided to prevent scattering.
- Approach road shall be made pucca to minimize generation of suspended dust

You are requested to consider the above proposal for grant of Environmental Clearance based on the above information.

Thanking you.

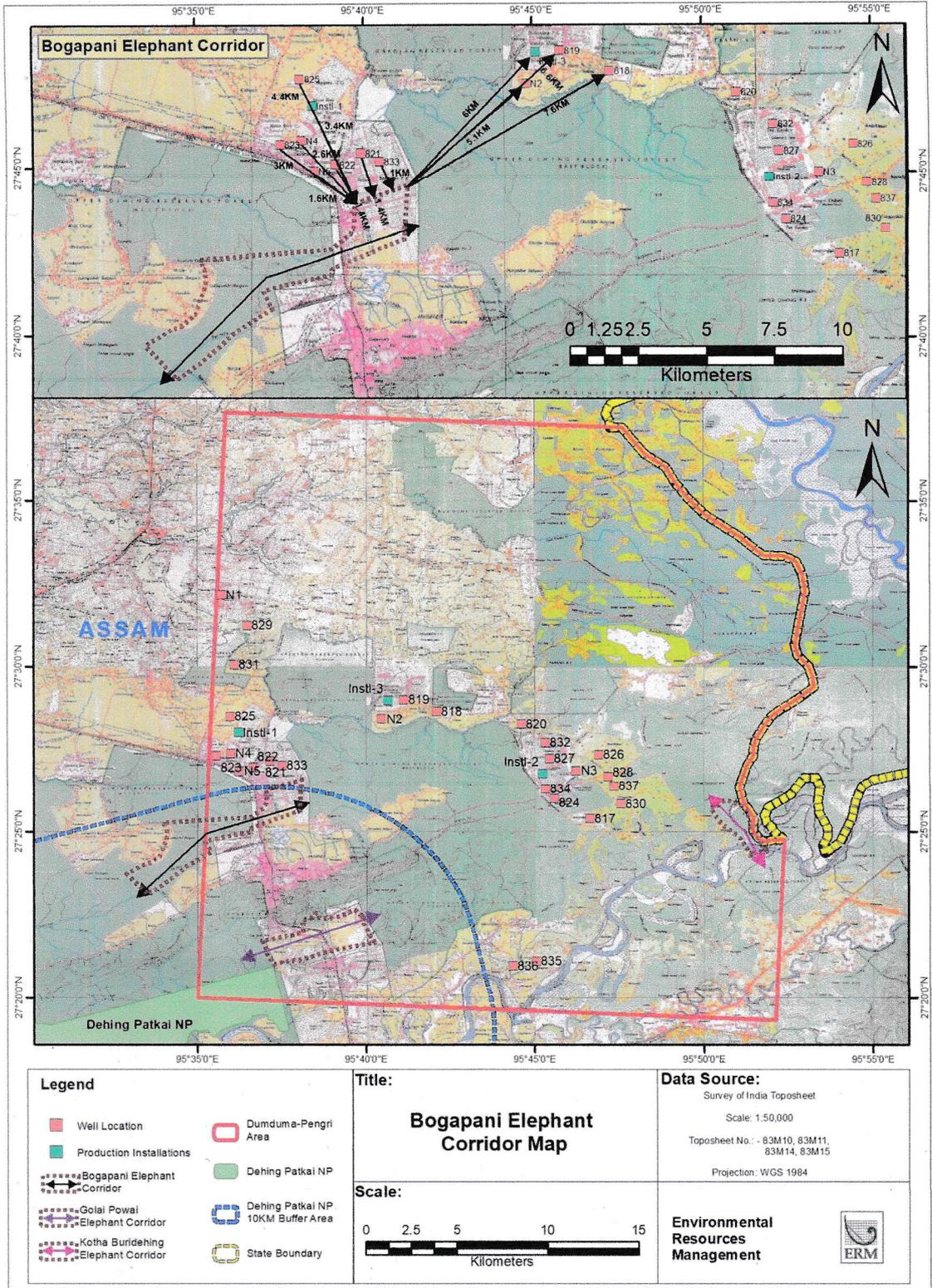
Yours faithfully,
OIL INDIA LTD



(Ajit Chandra Haloi)
ED(HSE) &

Nodal Officer (EC, FC, NBWL)
For Resident Chief Executive

(A C Haloi)
ED - (HSE)
Nodal Officer (EC/FC/NBWL)
OIL INDIA LIMITED





HSE Department
Oil India Limited
Duliajan, Dibrugarh, 786602, Assam
Phone : 0374-2800542
Email: safety@oilindia.in

संदर्भ सं./Ref. No.: S&E/E/132/1045

दिनांक/Date: 14.10.2024

To,
Dr. Vimal Kumar Hatwal
Scientist-E
Ministry of Environment and Forests,
Government of India
Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi- 110003
Email: vk.hatwal@gov.in

Subject: Grant of Environmental Clearance on the
Recommendations of the Expert Appraisal Committee
held on 21.10.2021.

Respected Sir,

I, Ms Mallika Baruah Sarma, ED(HSE&ESG) ,making this representation on behalf of Oil India Limited, i.e., the Project Proponent herein, as its duly authorised representative. This representation is with respect to the Environmental Clearance of the Project Onshore, Oil & Gas development drilling and production in Dumduma Pengeri Area in Tinsukia District under Petroleum Mining Lease (PMLs) namely Mechaki PML, Borhapan PML, Dumduma PML and Digboi PML at Tinsukia Assam, proposed by Oil India Limited (OIL). It is clarified that the project is an expansion of the Environmental Clearance priorly granted vide Ministry's clearance letter dated 01.11.2011, bearing no. F No. J-11011/1251/2007-IA II (I).

It is further emphasised that public consultation is a widely publicised open house procedure wherein all stakeholders, local inhabitants are duly informed through newspaper, electronic modes and other publishing mediums about the exact date, time and location of the public consultation meeting.

Public consultation process is very different from Public hearing which was originally envisaged in 1994 EIA notifications. 2006 onwards the entire EC process was heavily dependent on constructive participation of all local stakeholder in a public

consolation giving communities, local stakeholders unprecedented rights to review, guide, consult behalf a project is recommended for environment clearance by the EAC.

With regard to the public hearing for the proposed project, the Pollution Control Board, Assam (Bamunimaidan, Guwahati – 781021) published the Public Hearing Notice (“**Notice**”) in Janasanyog on 10.02.2020 as per provision of Government of India’s Notification on Environmental Impact Assessment dated 14.09.2006.

It was duly notified that the public hearing for the proposed project was fixed. The public hearing was conducted on 13.03.2020.

The Notice informed that the interested persons of the locality including bonafide residents, environmental activists group, NGOs within the neighbourhood of the proposed project are requested to attend the aforesaid public hearing on the date, time and venue as stated above for getting their statements, suggestions, comments, views recorded regarding likely environmental impact and mitigation measures if any. Also, they may send their views and opinions within one month from the date of publication of this public hearing notice to the head office of the Board.

Furthermore, this Notice also categorically mentioned that to familiarise with the proposed project of the project proponent interested public, group etc. may go through the Executive Summary of Draft Environmental Impact Assessment EIA report and Draft EIA Report available at the following places:

- i) The Deputy Commissioner's Office, Tinsukia district, Assam.
- ii) District Industry Center, Tinsukia district, Assam.
- iii) President/Secretary of the concerned Gaon Panchayat under whose jurisdiction the proposed site falls.

- iv) Chief Executive Officer, Zilla Parishad, Tinsukia district, Assam.
- v) Ministry of Environment & Forests, Govt. of India, Regional Office, Law-U-Sib, Lumbatngen, Near MTC Workshop, Shillong-793021.
- vi) Regional Office of the Board at Dibrugarh, Assam.
- vii) The Head Office of the Board, Bamunimaidam, Guwahati-21.
- viii) The Executive Summary of EIA report and Draft Environmental Impact Assessment (EIA) will also be available in the Board's Website at <http://www.pcbassam.org>

A copy of the Notice dated 10.02.2020 is enclosed as **Annexure-1**.

In view thereof, the Public Hearing for the proposed project was conducted by the designated authority, i.e., the Pollution Control Board, Assam on 13.03.2020 in Tinsukia district presided by the Additional Deputy Commissioner, Tinsukia district. The main issues raised during the public hearing were related to the protection of ecology and environment, development activities - improvement of infrastructure in schools, health initiatives, social initiatives in the area, funds for toilet development etc. All the concerns raised by participants in the public consultation had been adequately addressed by the Project Proponent and the same was reiterated before the Expert Appraisal Committee ("**EAC**").

The 2006 Notification underscores the importance of public consultation. Public consultation, as it states, is "the process by which the concerns of local affected persons and others who have a plausible stake in the environmental impacts of the project or activity are ascertained with a view to take into account all the material concerns in the project or activity design as appropriate".

Public consultation provides value in seeking the views of those in the local area as well as beyond, who have a plausible stake in the project or activity. Public consultation is a mandatory process which is designed to hear the voices of those communities which would be affected by the activity. It involves a process of confidence building by giving an important role to those who have a plausible stake as it invites the stakeholders, locals, environment activists and other interested parties to put forward their concerns.

The State Pollution Control Board has to conduct hearings and to forward the proceedings to the regulatory authority within the stipulated time. It is also a vital duty of the State Pollution Control Board to place on the website of the Pollution Control Board a summary of the EIA report in the prescribed format and the making available of the draft EIA report by the regulatory authority on a written request by any person concerned, for inspection.

Thereafter, on 21.10.2021, EAC recommended the Environmental Clearance for the project Onshore, Oil & Gas development drilling and production in Dumduma Pengeri Area in Tinsukia District under PMLs namely Mechaki PML, Borhapjan PML, Dumduma PML and Digboi PML at Tinsukia Assam proposed by Oil India Limited. Admittedly, the EAC recommended the Environmental Clearance with certain conditions.

In view of the recommendation given by EAC and subsequent clarifications provided by Project Proponent from time to time there is no more reason for not issuing in a letter for environmental clearance.

Further giving due consideration to the Prime Minister's vision to meet the nation's energy requirements, generate revenue, and reduce India's import dependency, it is crucial to continue Exploration & Production (E&P) activities in the prospective areas. In this regard the Project Proponent has provided all necessary clarifications to various letters, EDS, and ADS sought

by the Ministry of Environment, Forest and Climate Change (“**MoEF&CC**”) time to time, regarding this proposal. However, the Environmental Clearance (EC) has not yet been granted.

On 04.12.2023, OIL received a communication from MoEF&CC, after a period of two (2) years, requesting OIL to approach the Ministry after the outcome of the ongoing court case/ pending litigation before the Hon’ble National Green Tribunal. The mentioned matter, Original Application No. 19 of 2014, pertains to the protection of the elephant population and elephant reserves. This delay hampers our progress towards energy self-sufficiency and the economic growth of the country.

It becomes pertinent to mention that the Petitioner in the aforementioned matter, who lives in the same district wherein public consultation was conducted, could have attend the hearing or may provide her views/comments/suggestions/statements regarding likely environmental impact and mitigation measures. However, Ms. Kashmira Kakati did not attend the public consultation. A copy of the attendance sheet of public consultation is enclosed as **Annexure-2**.

It may be noted that Dr. Kashmira Kakati filed a case (OA 19/2014) before the Hon’ble NGT against OIL regarding the protection of the elephant habitats in Golai and Bogapani corridors and prevent OIL any effluent or toxic pollutants to reach this ecologically sensitive habitat and ensure zero liquid discharge. The said case was filed against eleven (11) respondents including OIL, IOCL, COAL, etc. It is pertinent to mention that the Digboi Oilfield has a rich historical background which plays a significant role in the present context. The concerned Digboi Oilfields have been in existence for more than 125 years. The crude oil was discovered at Digboi in 1889 by the erstwhile Assam Railway & Trading Co (AR&T), which subsequently developed the Digboi OilField, located within the present-day Dihing Patkai Reserve Forest area.

OIL came into existence, much later in the year 1959 with oil resources of Nahorkatiya, Hoogrijan & Moran field with 48 wells

as a Joint Venture Company of Burmah Oil Company and Government of India. OIL was subsequently nationalized in the year 1981. As a result of nationalisation, OIL acquired the assets of Digboi oilfield which were under control of Assam Oil Company till then. OIL along with the Digboi Oilfield also inherited a few pits containing oily debris located within the Reserved Forest. Since then, OIL has undertaken proactive measures for bioremediation of the oily debris accumulated due to natural phenomenon of oily seepage.

OIL had only drilled one well in past in Dumduma Pengri area after EIA Notification 2006. On 01.10.2021, the Director of the monitoring cell of the MoEF&CC vide file no. RO-NE/E/EA/AS/MI/58/1243-1245 released a monitoring report on the Exploratory Drilling of 1 well at Dumduma-Pengeri Area, District Tinsukia, Assam by Ms. Oil India Limited. It was found that OIL has made significant strides in meeting the majority of the stipulated conditions for the final grant of Environmental Clearance.

It is humbly submitted and reiterated that the historical and geographical background of the Digboi Oilfield has also been well accepted by the NGT in its Order dated 08.12.2017 since the said Order inter alia specifically records that the NGT appointed Committee noticed natural seepage in drain no. 1 of Digboi Oilfield and the said averment has not been challenged by any party till date.

It is noteworthy to mention that during this entire duration of more than two (2) years, the Project Proponent has been diligent, compliant and sincere in providing all the documents, compliance reports and in complying with all the statutory requirements for the grant of Environmental Clearance. Further, OIL also gave an undertaking to drop well no. 833 which falls within 1 Km distance from the Bogapani Elephant corridor and also clarified that none of the locations are falling within 10 Km Eco Sensitive Zone (ESZ) areas of Dihing-Patkai National Park (NP) and all other locations are more than 1 Km away from the

Bogapani Elephant corridor. The copy is enclosed as **Annexure-3**.

It is important to point out that in above O.A. No. 19 of 2014 before the Hon'ble National Green Tribunal, the court has not yet issued any stay order or prohibited the Project Proponent from applying for EC and conducting exploration and production activities in that area.

The EAC, while dealing and deciding the Application seeking Environmental Clearance during the public consultation, was well versed with the issues connected with the elephant population as well as continuation of O.A. No. 19 of 2014 before the Hon'ble National Green Tribunal.

OIL had earlier carried out the detailed EIA study based on the Terms of Reference issued by MoEF & CC and following the due procedure of Public Hearing. As the ongoing petitions and all their concerns had been adequately addressed by the Project Proponent, EAC must have realised that OIL has adequate strength and an Environmental Management Plan to take care of all issues related to Environment. In few cases for locations/pipelines falling in forest area, OIL has already paid 2% of the project cost towards "**Human Elephant Conflict Mitigation & Wildlife Conservation plan**" at Digboi Division & Doomdooma Division(Near to proposed EC area in Dumduma Pengri area) in CAMPA account.

The Project Proponent has a fundamental duty to ensure energy security of our country as natural gas is a cleanest fuel among all the fossil fuels and its timely extraction further helps to fulfil energy demand and India's commitment to International Treaties for promoting energy requirement. OIL has always been at the forefront of embracing new technologies and concepts for opening new vistas and putting a stride forward towards sustainable energy security of the nation. OIL has been developing, operating, and managing energy parks, which is not just pure business for the project proponent but is a way to view the future world.

OIL periodically monitors and supervises its pipelines and all its pipelines are in good condition. Additionally, these pipelines are also audited by Oil Industry Safety Directorate (OISD) periodically. In view of the above, it is reiterated that there is no leakage or seepage of crude oil through any underground pipelines in the Reserve Forest area. In any case, the Environmental Management Plan which will be attached with the EC, will put strict obligations on the Project Proponent to ensure that migration routes of elephants, disruption of elephant corridors, shall not get affected, while extracting gas from the wells in question. Additionally, OIL also assures your good office that all the mitigation measures and human elephant conflict management plan will be strictly followed during the operation of Oil & Gas Exploration and Production activity.

It is most humbly submitted that the findings of the NGT appointed Committee are unfortunately not supported by any pictures or on ground task reports. However, it merits the attention of your office that in case an oil spill occurs, the same is rectified immediately and the site is cleaned and restored, as per the internal Standard Operating Procedures (SOPs) of OIL.

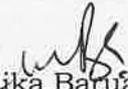
It is also most humbly stated that as per the findings of the NGT appointed Committee, despite the bio-remediation work being carried out in the area, oil seepage has been observed, which appears to be a natural seepage and not owing to any action or inaction of OIL. OIL has been taking remedial measures since July 2010 and the entire oil debris has already been treated through Bio remedial measures. Since it is a natural phenomenon, the recurrence of the oily sludges has been observed in the region and Bio remedial actions are taken on any occurrences.

It is submitted that given the said circumstances, OIL is committed and gives undertaking to strictly complying to all the conditions of EC, which can be granted in view of recommendations dated 21.10.2021 and while balancing the energy security of the country, which shall not compromise on protecting forest and wildlife.

In view of the above, we humbly request you to reconsider the application number IA/AS/IND/220363/2007, J-11011/1251/2007-IA II (I) for grant of Environmental Clearance and kindly provide us with an opportunity for personal hearing before your good office, whereby we can explain the above in further detail.

Thanking you in anticipation.

Yours faithfully,
For **Oil India Limited**

 14/10/24
(Mallika Baruah Sarma)

Executive Director (HSE & ESG)
Nodal Officer (EC, FC, NBWL)
For Resident Chief Executive

Encl: As above.



4094
ऑयल इंडिया लिमिटेड
Oil India Limited
भारत सरकार के अधीन
एक महारत्न सीपीएसई
A Maharatna CPSE under
Government of India

Annexure - R 5

निगमित कार्यालय /Corporate Office
ऑयल हाउस/OIL House,
प्लॉट नं. / Plot No.19, सेक्टर/Sector-16A,
नोएडा/ Noida-201301 (उ.प्र.) (U.P.)
फोन/Phone: +91-120-2419000
ई-मेल/E-mail: oilindia@oilindia.in

OIL/DED/01/09/104

October 30, 2024

**The Member Secretary,
EAC (Industry-2),
Ministry of Environment, Forest & Climate Change,
Indira Paryavaran Bhawan,
Jor Bagh Road,
New Delhi – 110 003**

Sub: Clarification in regards ongoing Court case against EC proposal no.
IA/AS/IND2/220363/2007 for Dumduma-Pengry EC Block.

Ref: i) EC Proposal IA/AS/IND2/220363/2007 & File No J-11011/1251/2007-IA II (I)
ii) Letter dtd. 04.12.2023 from good office of yours (Annexure-I)
iii) DO Letter dtd. 03.10.2024 from Additional Secretary, MoEF&CC to CMD, OIL
(Annexure-II)

Dear Sir,

Kind reference is invited to the cited subject and the referred communications wherein we would like to submit the following for your kind consideration and grant of EC for the PML/PEL block, which is currently under hold.

2.0 The EC for the referred block PML was recommended in the 42nd EAC (Industry-2) meeting held during (20-22) October, 2021- Abstract from the minutes of EAC meeting dated (20-22) October, 2021 enclosed for your ready reference (Annexure-III). However, vide letter dated 04.12.2023, OIL was informed that EC for the said project was put on hold.

3.0 On 01.07.2024, OIL team having discussed the issue uploaded the details in PARIVESH portal on 27.02.2024 vide letter dated 23.02.2024 clarifying in detail about the ongoing litigations.

4.0 Subsequently, in response to a communication received vide DO letter from AS, MoEF&CC dated 03.10.2024 regarding concealment and misrepresentation by OIL, the following clarifications are submitted for kind appraisal.

- a. The application filed before NGT a decade back on 31.01.2014 was with specific reference to conservation of "Golai" and "Bogapani" Elephants corridor and concerns due to various activities by IOCL, CIL & NHAI.

Contd.2/-

- b. OIL has been made a Respondent No. 7 along with Coal India Ltd. (CIL), IOCL, NHAI, etc. owing to natural oil seepage occurring in the Digboi oil field since last 100 + years. This oil seepage has been a natural phenomenon in Digboi oil field, which has been reflected by a committee constituted by NGT. Few field photographs of oil seepage taken during 2014 and 2022 after remedial measures taken by OIL are enclosed for your ready reference (Annexure-IV).
- c. As you would kindly appreciate, NGT disposed of the Original Application No.19/2014 vide its order dated 08.12.2017 pursuant to which no proceedings were initiated by or against Oil India Limited before any forum whatsoever.
- d. Further, the appeal preferred by Coal India Limited before the Hon'ble Supreme Court of India initiated a separate enquiry against CIL and OIL for violation of Water Act, 1974 and Hazardous Waste Rules, 1989 did not directly concern OIL and was neither attended until November 2021.

Therefore, while submitting Form-2 for grant of EC on 11.10.2021 or during appraisal before EAC (Industry-2), OIL presented the facts without any reference to any ongoing court cases. Given the timeline stated as above (Annexure-V), we would earnestly request that this may please not be considered as concealment of facts by OIL.

5.0 We would like to submit that 876 sq Km of EC Block has no linkage with the decade old case filed before NGT since none of the project components are falling in "Bogapani" or "Golai" Elephant corridors. A map indicating the same is enclosed for kind reference please (Annexure-VI).

6.0 We would like to further apprise you that the case filed by Coal India Ltd. in May 2018 has already been disposed by the Hon'ble Supreme Court on 27.04.2023 directing NGT to give a fresh look on the matter.

7.0 Pursuant to the intent of enhanced exploration efforts of OIL, in the prolific fields of Mechaki, Borhapjan & Dumduma including the Digboi PML, we earnestly request you to consider issuance of EC which is on hold since December 2023. The tentative exploration campaign is enclosed for your ready reference please (Annexure-VII). While we earnestly request your favourable grant of EC, we hereby wish to offer our undertaking that should there be any direction by Hon'ble NGT, OIL will abide by the same.

Thanking you,

Yours faithfully,
OIL INDIA LIMITED


(Saloma Yomdo)

Director (E&D) &

Additional charge of Director (Operations)

Encls: as above

Copy to:

- i) Dr. Amandeep Garg, IAS, Additional Secretary, MoEF&CC, Gol
ii) Chairman & Managing Director, OIL

File No. J-11011/1251/2007 - IA II (I)
Government of India
Ministry of Environment, Forest & Climate Change
Impact Assessment Division

Indira Paryavaran Bhawan,
Jor Bagh Road, New Delhi-110003

Dated: December 4th, 2023

To

M/s OIL INDIA LIMITED,
Shri. Ajit Chandra Haloi, CGM (HSE),
Safety & Environment Department,
Duliajan, Dibrugarh, Assam-786602.

Sub: Onshore Oil & Gas development drilling and production in Dumduma Pengeri Area in Tinsukia District under PMLs namely Mechaki PML, Borhapjan PML, Dumduma PML and Digboi PML Tinsukia Assam by M/s OIL INDIA LIMITED- Consideration of Environment Clearance reg.

Sir,

This has reference to your online proposal no. IA/AS/IND2/220363/2007, dated 11th October, 2021 for environmental clearance to the above-mentioned project. The project was presented by the project proponent/consultant to the EAC (Industry-2) during meeting 20th - 22nd October in the Ministry.

2. Upon examination, it was noted that the proposed area and diversion involved falls under the critical elephant habitat and corridor which connects the two States Assam and Arunachal Pradesh. Further, it was also noted that there is an ongoing court case in compliance to Hon'ble NGT Judgement dated 08.12.2017 in Original Application No. 19 of 2014 filed in Dr. Kashmira Kakati vs UoI & Ors. for protection of elephant population in the country and to protect elephant corridors or elephant reserves.

3. M/s. Coal India Ltd. (which was one of the respondents in OA No. 19/2014) filed the C.A No. 9710-9711/2018 in Supreme Court of India, wherein, it approached the Court against certain directions on Hon'ble NGT Judgement dated 08.12.2017. Hon'ble Supreme Court vide order dated 10.08.2022 ordered the Ministry to file status report regarding the steps taken for implementation of directions given by the National Green Tribunal vide its order dated 08.12.2017. Accordingly, a committee was constituted by the Ministry and the report dated 04.01.2023 was submitted to Hon'ble Supreme Court. In the final Order, dated 27.04.2023, passed by the Hon'ble Supreme Court in C.A. No. 9710-9711/2018, it was held that since the compliance reports have been filed by the stakeholders and also put on record, therefore the matter will be remitted back to the Tribunal along with the compliance reports as a part of the record in O.A. No. 19/2014 on the file of the Tribunal and the Tribunal will look into the matter afresh. The matter was thus, remitted back to the Tribunal.

4. As per order of Hon'ble NGT dated 24.07.2023 it was alleged by the counsel

of the Applicant i.e., Dr. Kashmira Kakati, that the compliances have not been made by the Respondents and the directions contained in the Order dated 08.12.2017 passed by the Tribunal have not been reported to be complied till date and the counsel for respondents have asked for some time to file reply/compliance affidavit/objection/status report.

5. In view of the above, you are requested to approach the Ministry after final outcome of the ongoing court case. Meanwhile, you are requested to submit compliance to observation of Ministry's committee report dated 04.01.2023.

/

(Dr. Vimal Kumar Hatwal)
Scientist-'E'

Copy to:

1. The Director, Project Elephant Division, Indira Paryavaran bhawan, MoEF&CC.
2. IA Monitoring Cell, MoEF&CC.

Vimal
04/12/2023

(Dr. Vimal Kumar Hatwal)
Scientist-'E'
E-mail: vk.hatwal@gov.in



अमनदीप गर्ग, आई.ए.एस.
Amandeep Garg, IAS



अपर सचिव
भारत सरकार

पर्यावरण, वन और जलवायु परिवर्तन मंत्रालय
ADDITIONAL SECRETARY
GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST
& CLIMATE CHANGE

D.O. No. J-11011/1251/2007-IA-II(I)

Date: 3rd October, 2024

Dear Shri Rath,

I am writing to draw your kind attention to a proposal no. IA/AS/IND2/220363/2007, dated 11th October 2021, submitted by M/s. Oil India Ltd. seeking prior Environmental Clearance for the Onshore Oil & Gas development drilling and production project in Dumduma Pengeri Area, Tinsukia District, under PMLs, namely Mechaki PML, Borhapjan PML, Dumduma PML, and Digboi PML, Tinsukia, Assam.

2. Upon examination, it was found that there had been concealment of relevant facts regarding ongoing court matter related to the aforesaid projects by the authorized representative of M/s. Oil India Ltd (OIL) at the time of the submission of the application (i.e., 11.10.2021) for Environmental Clearance (EC) and also during the Expert Appraisal Committee (EAC) meeting held on October 20th to 22nd, 2021. The project has been under litigation in Hon'ble Supreme Court and National Green Tribunal in the matter titled Dr. Kashmiri Kakati Versus Union of India & Ors (Original application no. 19 of 2014) and the same was not informed to the Expert Appraisal Committee/ Ministry by the concerned officials.

3. The Ministry, vide letter dated 04th December 2023 also issued Show Cause Notice (SCN) to M/s ERM India Pvt. Ltd (Consultant hired by M/s OIL India Ltd.) for the concealment of the court case in the aforesaid proposal. The consultant has, inter-alia, submitted a reply stating that no disclosure regarding the NGT's order/directions against the project in question was provided by Project Proponent(PP) to the consultancy. PP, vide email dated 20.03.2024, has informed that the aforesaid case was filed against eleven (11) respondents including OIL, IOCL, COAL, etc., which was disposed of on 8th December 2017 with various directions to be complied with by the Central and State Government. Additionally, the PP has stated that no case was pending against OIL as of the date of submission of the ToR application, i.e., 11.04.2018. However, the PP has not addressed the consultancy's claim that no disclosure was provided regarding the NGT orders/directions at the time of EC application.

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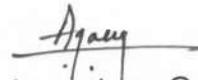
4. It is pertinent to mention that as per the chronology of the case, the status of the case was 'pending in the Supreme Court' at the time of the EC application (i.e., 11.10.2021) and during the EAC meeting held from October 20th to 22nd, 2021. However, the concerned OIL officials neither revealed the aforesaid facts before EAC nor have they addressed the consultant's claim that no disclosure was provided regarding the NGT orders/directions.

5. The above concealment and misrepresentation by OIL officials has resulted in avoidable delay in taking decision on the project as reportedly the above-mentioned matter is still *sub judice*.

6. You would appreciate that such conduct on the part of OIL officials representing the Company during the Appraisal process is highly undesirable and unbecoming of a government servants. I would, accordingly, request you to kindly look into the matter expeditiously and responsibility may be fixed accordingly against concerned officials responsible for not presenting the true and complete information before the Expert Appraisal Committee (EAC) / Ministry, which is essential for an accurate and time-bound appraisal as, laid down in the EIA Notification, 2006, as amended.

With regards.

Yours sincerely,



(Dr. Amandeep Garg)

Dr. Ranjit Rath,
Chairman & Managing Director,
Oil India Limited,
Plot No. 19, Near Film City, Sector 16A,
Noida – 201301.
oilindia@oilindia.in

**GOVERNMENT OF INDIA
MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
(IA DIVISION-INDUSTRY-2 SECTOR)**

Dated: 01.11.2021

**MINUTES OF THE 42nd MEETING OF THE EXPERT APPRAISAL
COMMITTEE**

(INDUSTRY-2 SECTOR PROJECTS)

HELD ON 20th - 22nd October, 2021

**Venue: Ministry of Environment, Forest and Climate Change,
Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi-
110003 through Video Conferencing (VC)**

(i) Opening Remarks by the Chairman: The Chairman made hearty welcome to the Committee members and appreciated the efforts of the Committee. After opening remarks, the Chairman opened the EAC meeting for further deliberations.

(ii) Confirmation of minutes: The EAC, having taken note that final minutes were issued after incorporating comments received from the EAC members on the minutes of its 41st Meeting of the EAC (Industry-2) held during 28th - 30th September, 2021 conducted through Video Conferencing (VC), confirmed the same.

After welcoming the Committee Members, discussion on each of the agenda items was taken up ad-seriatim.

Details of the proposals considered during the meeting **conducted through Video Conferencing (VC)**, deliberations made and the recommendations of the Committee are explained in the respective agenda items as under: -

20th October, 2021 (Wednesday)

Agenda No. 42.1

Proposed 200 KLPD Grain based Ethanol Plant at village Begrajpur Paragana Khatauli District Muzaffarnagar Uttar Pradesh by M/s CRYSTAL BALAJI INDUSTRIES PRIVATE LIMITED- Consideration of Environment Clearance.

[IA/UP/IND2/228826/2021, J-11011/365/2021-IA-II(I)]

				delete/revise this condition.
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During deliberations PP has informed that the court case was filed by KSPCB for alleged violation of Water (Prevention and Control of Pollution) Act, 1974. Further, PP has informed that industry shall abide by the final outcome of the case and shall take prior permission from KSPCB for implementation of the expansion. Further, PP has submitted a No Objection Certificate dated 30th September, 2021 issued by Chairman, KSPCB to delete/revise the condition stipulated at Specific Condition point no. (ii), page 8 of 12 the EC vide letter no. J-11011/130/2008-IA II(I) dated 27.09.2021 issued by MoEF & CC with certain conditions. EAC found the justification valid and sought affidavit for the same. After detailed deliberations EAC **recommended** the amendments in EC, as proposed by the project proponent, with all other terms and conditions remain unchanged.

21st October, 2021 (Thursday)

Agenda No. 42.10

Onshore Oil & Gas development drilling and production in DumdumaPengeri Area in TinsukiaDistrict under PMLs namely Mechaki PML, Borhapjan PML, Dumduma PML and Digboi PML Tinsukia Assam by M/s OIL INDIA LIMITED- Consideration of Environment Clearance reg.

[IA/AS/IND2/220363/2007, J-11011/1251/2007 - IA II (I)]

The Project Proponent and the accredited Consultant M/s ERM India Pvt. Ltd made a detailed presentation on the salient features of the project and informed that:

The proposal is for environmental clearance to the project Onshore Oil & Gas development drilling and production in DumdumaPengeri Area in TinsukiaDistrict under PMLs namely Mechaki PML, Borhapjan PML, Dumduma PML and Digboi PML Tinsukia Assam by M/s Oil India Limited.

All Offshore and onshore oil and gas exploration, development & production proposals are listed at S.N. 1(b)of Schedule of Environment Impact Assessment (EIA) Notification under category 'A' and are appraised at Central Level by Expert Appraisal Committee (EAC).

Standard ToR has been issued by Ministry vide letter No. J-11011/1251/2007 - IA II (I) dated 1st June, 2018. Ministry had issued EC earlier vide letter no. J-11011/1251/2007-IA-II(I); dated 1st November

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2011 to the existing Exploratory drilling of 1 well at Dumduma-Pengry Area, District Tinsukia by M/s Oil India Limited.

Public Hearing for the proposed project has been conducted by the State Pollution Control Board on 13th March 2020 in Tinsukia district presided by Additional Deputy Commissioner, Tinsukia district. The main issues raised during the public hearing are related to protection of ecology and environment, development activities -improvement of infrastructure in schools, health initiatives, social initiatives in the area, funds for toilet development etc. It was informed that no litigation is pending against the proposal.

The details of products and capacity are as under:

S. No	Product Details	Existing Quantity	Proposed Quantity	Total Quantity
1.	Wells and production installations	1 well	26 wells and 3 production installations	27 wells and 3 production installations

The total land required for the project will be 990000 m². M/s Oil India Ltd. will develop greenbelt at the proposed production installations having total area of 52500 m².

The estimated project cost is Rs. 1109.40 crore. Recurring cost for public hearing action plan, greenbelt plan, wildlife conservation plan and environmental control measures will be a total of INR 0.9341 crores per annum. Oil India Ltd. will earmark INR 1.775 crores as part of PH Action Plan in for Tinsukia district in line with the comments and suggestions made by the local public during Public Hearing. Additionally, Oil India Ltd. will comply with the conditions mentioned by EAC in this regard. Total Employment will be 60 persons as direct & 120 persons indirect after expansion for each drill site construction and drilling. Oil India Ltd. will earmark INR 1.775 crores as part of PH Action Plan in Tinsukia district in line with the comments and suggestions made by the local public during Public Hearing. Additionally, Oil India Ltd. will comply with the conditions mentioned by EAC in this regard. OIL proposes to allocate funds for CSR activity as per CSR Act and Rules, Govt. of India.

There are no national parks, wildlife sanctuaries, Biosphere Reserves, Tiger/Elephant Reserves etc. within 10 km of the well locations or production installations. Bogapani elephant corridor is located within 1 km of the proposed well. Buri Dehing River is flowing through south-eastern portion of the Block.

Ambient air quality monitoring was carried out at 8 locations during 2.01.2019 to 26.03.2019 and the baseline data indicates the ranges of average concentrations as: PM₁₀ (76.17-80.57 µg/m³), PM_{2.5} (37.46-

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40.11 $\mu\text{g}/\text{m}^3$), SO_2 (7.56-8.19 $\mu\text{g}/\text{m}^3$) and NO_2 (21.72-24.11 $\mu\text{g}/\text{m}^3$). AAQ modeling study for point source emissions indicates that the maximum incremental GLCs after the proposed project would be 15.38 $\mu\text{g}/\text{m}^3$, 0.01 $\mu\text{g}/\text{m}^3$, 0.07 $\mu\text{g}/\text{m}^3$ and 0.10 $\mu\text{g}/\text{m}^3$ with respect to NO_x , SO_2 , PM_{10} and HC. The resultant concentrations are within the National Ambient Air Quality Standards (NAAQS).

Total water requirement is 50 m^3/day of which fresh water requirement of 39 m^3/day will be met from groundwater. Effluent of 21.8 KLD quantity will be treated through ETP and Septic tank. The project will be based on Zero Liquid discharge system.

Power requirement will be met through two Diesel Generator Sets of 1250 kVA each. Another 1250 kVA DG set will be kept as standby. Stack height of 7 m will be provided as per CPCB norms to the proposed DG sets.

Details of Process emissions generation and its management:

The operation of DG sets, movement of vehicles and machineries during construction and drilling, flaring of natural gas will result in the generation of air pollutants, if gas reserves are encountered during drilling operations. Stacks will be used with DG sets and flare system as per CPCB norms

Details of Solid waste/Hazardous waste generation and its management:

Drill cuttings and spent drilling mud will be disposed to HDPE lined pit within the drill site. The kitchen waste will be disposed in nearest municipal/village dumping site on a daily basis through approved waste handling contractors. Recyclable wastes will be periodically sold to local waste recyclers. Hazardous waste (waste and used oil) will be managed in accordance with Hazardous Waste (Management, Handling & Transboundary Movement) Rules, 2016.

Certified compliance report has been by Integrated Regional Office (IRO), Guwahati vide letter No. RO-NE/E/IA/AS/MI/58/1243-1245 dated 1st October 2021. EAC found the compliance status to be satisfactory.

During deliberation the following additional information was sought from PP:

- i. Details of proposed wells and product installations.
- ii. Noise Management Plan.
- iii. Well abandonment and site restoration plan.

PP has submitted the information desired above and EAC found it in order. Also EAC noted that Bogapani elephant corridor is located within 1 km of the proposed well. In this regard PP informed that safety plan has been submitted for the same and production activities shall be done

ensuring safety considering movement of elephants based on season. Further EAC suggested PP shall allocate Rs. 1.00 Crore apart from the amount allocated to address issues raised in Public Hearing towards Corporate Environment Responsibility. PP shall utilize the amount in improving infrastructure in the schools nearby. PP agreed to it.

The EAC, constituted under the provision of the EIA Notification, 2006 and comprising of Experts Members/domain experts in various fields, have examined the proposal submitted by the Project Proponent in desired form along with EIA/EMP report prepared and submitted by the Consultant accredited by the QCI/ NABET on behalf of the Project Proponent. The EAC noted that the Project Proponent has given undertaking that the data and information given in the application and enclosures are true to the best of his knowledge and belief and no information has been suppressed in the EIA/EMP report. If any part of data/information submitted is found to be false/ misleading at any stage, the project will be rejected and Environmental Clearance given, if any, will be revoked at the risk and cost of the project proponent.

The Committee noted that the EIA/EMP report is in compliance of the ToR issued for the project, reflecting the present environmental concerns and the projected scenario for all the environmental components. The Committee has found the baseline data is within NAAQ standards. The Committee has deliberated the action plan proposed by the project proponent to arrest the incremental GLC due to the project. The Committee has also deliberated on the CER plan and found to be addressing the issues in the study area.

The EAC has deliberated the proposal and has made due diligence in the process as notified under the provisions of the EIA Notification, 2006, as amended from time to time and accordingly made the recommendations to the proposal. The Experts Members of the EAC have found the proposal in order and have **recommended** for grant of Environmental Clearance.

The environmental clearance granted to the project/activity is strictly under the provisions of the EIA Notification 2006 and its amendments. It does not tantamount/construe to approvals/consent/ permissions etc. required to be obtained or standards/conditions to be followed under any other Acts/ Rules/ Subordinate legislations, etc., as may be applicable to the project. The project proponent shall obtain 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, from the State Pollution Control Board, prior to construction & operation of the project.

The EAC, after detailed deliberations, **recommended** the project for grant of environmental clearance and subject to compliance of terms and conditions as under, and general terms of conditions at Annexure: -

- (i). The company shall comply with all the environmental protection measures and safeguards proposed in the documents submitted to the

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Ministry. All the recommendations made in the EIA/EMP in respect of environmental management, and risk mitigation measures relating to the project shall be implemented.

- (ii). No pipelines or its part shall be laid in the Forest land/Protected Area without prior permission/approval from the Competent Authority.
- (iii). The project proponent will treat and reuse the treated water within the drilling site location including at processing location and no waste or treated water shall be discharged outside the premises under any condition. Mobile ETP coupled with RO and mobile STP shall be installed to treat the waste water and sewage waste respectively.
- (iv). During production, storage and handling, the fugitive emission of methane, if any, shall be monitored using appropriate technology.
- (v). The project proponent also to ensure trapping/storing of the CO₂ generated, if any, during the process and handling.
- (vi). Approach road shall be made pucca to minimize generation of suspended dust.
- (vii). The project proponent shall make all arrangements for control of noise from the drilling activity. Acoustic enclosure shall be provided for the DG sets along with the adequate stack height as per CPCB guidelines.
- (viii). Total fresh water requirement shall be 39 KLPD which will be met from ground water. Extraction of ground water shall not be done without obtaining prior permission of CGWA/concerned authority.
- (ix). The company shall construct the garland drain to prevent runoff of any oil containing waste into the nearby water bodies. Separate drainage system shall be created for oil contaminated and non-oil contaminated.
- (x). Drill cuttings separated from drilling fluid shall be adequately washed and disposed in HDPE lined pit. Waste mud shall be tested for hazardous contaminants and disposed according to HWMH Rules, 2016. No effluent/drilling mud shall be discharged/disposed off into nearby surface water bodies. The company shall comply with the guidelines for disposal of solid waste, drill cutting and drilling fluids for onshore drilling operation notified vide GSR.546(E) dated 30th August, 2005.
- (xi). Oil spillage prevention and mitigation scheme shall be prepared. In case of oil spillage/ contamination, action plan shall be prepared to clean the site by adopting proven technology. The recyclable waste (oily sludge) and spent oil shall be disposed of to the authorized recyclers.

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- (xii). The project proponent shall take necessary measures to prevent fire hazards, containing oil spill and soil remediation as needed. At fixed installations or plants use of ground flare shall be explored. At the place of ground flaring, the overhead flaring stack with knockout drums shall be installed to minimize gaseous emissions during operation.
- (xiii). The project proponent shall develop a contingency plan for H₂S release including all necessary aspects from evacuation to resumption of normal operations. The workers shall be provided with personal H₂S detectors in locations of high risk of exposure along with self-containing breathing apparatus.
- (xiv). Blow Out Preventer system shall be installed to prevent well blowouts during drilling operations.
- (xv). On completion of the project, necessary measures shall be taken for safe plugging of wells with secured enclosures to restore the drilling site to the original condition. The same shall be confirmed by the concerned regulatory authority from environment safety angle. In case of hydrocarbon not found economically viable, a full abandonment plan shall be implemented for the drilling site in accordance with the applicable DGH / Indian Petroleum Regulations.
- (xvi). PP shall allocate Rs. 1.00 Crores towards CER and it shall be spent on improving infrastructure in schools nearby.
- (xvii). No lead acid batteries shall be utilized in the project/site.
- (xviii). Occupational health surveillance of the workers shall be carried out as per the prevailing Acts and Rules. All workers & employees shall be provided with required safety kits/mask for personal protection.
- (xix). Oil content in the drill cuttings shall be monitored if oil-based mud is used and report shall be sent to the Ministry's Regional Office.
- (xx). The project proponent shall prepare operating manual in respect of all activities, which would cover all safety & environment related issues and measures to be taken for protection. One set of environmental manual shall be made available at the drilling site/ project site. Awareness shall be created at each level of the management. All the schedules and results of environmental monitoring shall be available at the project site office. Remote monitoring of site should be done.

Agenda No. 42.11

Proposed 100 KLD Grain based distillery project alongwith 2.7 MW Cogeneration Plant at Mor, Mokama, Dist. Patna (Bihar) By

List of the Expert Appraisal Committee (Industry-2) members participated during Video Conferencing (VC) meeting

S. No.	Name and Address	Designation
1.	Dr. J. P. Gupta	Chairman
2.	Sh. R.K. Singh	Member
3.	Dr. Y.V. Rami Reddy	Member
4.	Dr. T. Indrasena Reddy	Member
5.	Sh. S. C. Mann	Member
6.	Dr. T. K. Joshi	Member
7.	Dr. J. S. Sharma	Member
8.	Sh. Dinabandhu Gouda, CPCB	Member
9.	Sh. Ashok Kr. Pateshwary, Director, MoEFCC	Member Secretary
MoEFCC		
10.	Dr. Mahendra Phulwaria	Scientist 'C'
11.	Sh. Kanaka Teja	Research Assistant

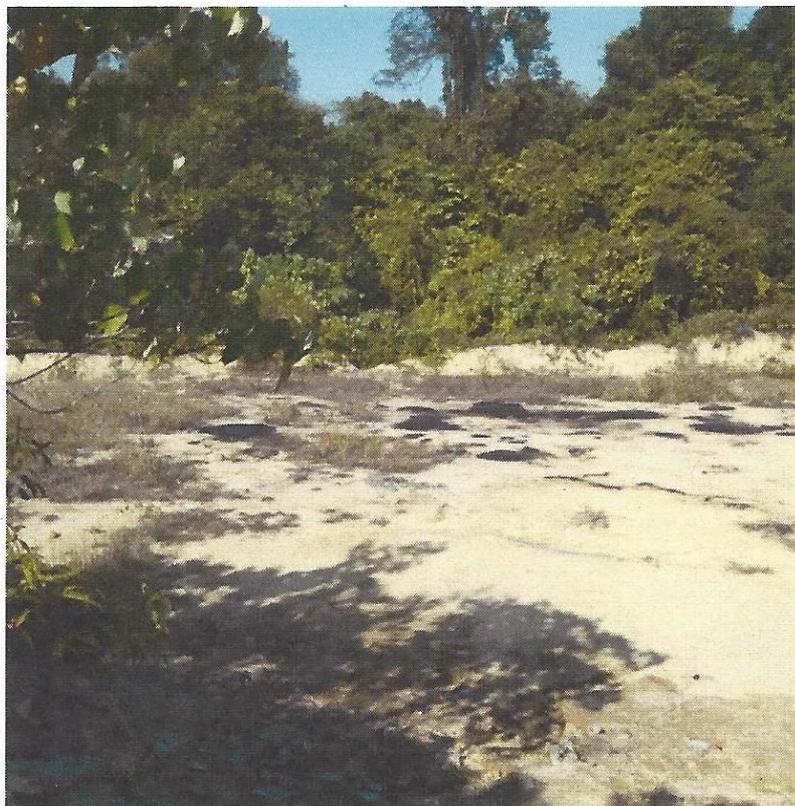
Photographs of Few Sludge Pits (during 2014-2017): Referred in OA 19/2014 before NGT



Photographs of Few Sludge Pits (during 2014-2017): Referred in OA 19/2014 before NGT



Photographs of Few Sludge Pits (during 2014-2017): Referred in OA 19/2014 before NGT



Photographs of Few Sludge Pits (during 2014-2017): Referred in OA 19/2014 before NGT





Photographs of Few Sludge Pits (during 2014-2017): Referred in OA 19/2014 before NGT





Photographs of Few Sludge Pits (during 2014-2017): Referred in OA 19/2014 before NGT



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Photographs of Sludge Pit Sites as on 27.09.2022: Referred in OA 19/2014 before NGT



Site near Well No.: 11



Site near Well No.:19

Photographs of Sludge Pit Sites as on 27.09.2022: Referred in OA 19/2014 before NGT



Ex-situ Bioremediation Pit near Well No.: 139



Site near Well No.:513

Photographs of Sludge Pit Sites as on 27.09.2022: Referred in OA 19/2014 before NGT



Site near Well No.:512

Annex-V

Timeline of Sequence of Events/ Ongoing Court Cases

SI	Incident Date	Occurrence of Events/ Court Case Related at NGT and Supreme Court	Remarks
1	31.01.2014	Original Application (OA) No 19/2014 (M.A. NO. 216/2015 & M.A. NO. 1027/2015) filed by Dr Kashmiri Kakoty, before NGT on 31.01.2014 with specific reference to conservation of "Golai" and "Bogapani" Elephant corridors under jurisdiction of the Digboi Forest division	(i) The OA was basically complaint against IOCL in regard construction of Oil Dispatch Terminal in Golai Elephant Corridor (ii) Dumping of wastes by Digboi Municipality in RF Discharge of Coal mine effluent in RF (iii) Construction of a By Pass Road by NHAI in the Elephant Corridor (iv) Bisecting of Bogapani Elephant Corridor by Tea Estate OIL has been entangled in OA 19/2014 as a Respondent no 7 along with Coal India Ltd (CIL) , IOCL, NHAI etc- Because of the natural oil seepage occurring in the 100+ years old Digboi oil field
2	16.03.2015	Report submitted by the committee constituted by MoEF&CC based on NGT's order dtd 04.02.2015 against OA No 19/2014	Report mentions that, Oil seepage is a natural phenomenon in Digboi field due to Oozing out of oil to the surface
3	08.12.2017	Original Application No 19/2014 of Dr Kashmiri Kakoty filed on 31.01.2014 was disposed of by NGT	
4	11.04.2018	Submission of application by OIL for grant of TOR against the EC proposal No: IA/AS/IND2/220363/2007 for the 876 sq Km Dumduma- Pengri EC block comprising of (Mechaki, Borhapjan, Dumduma and Digboi) PMLs	There was no ongoing court case against the project of OIL while submitting application on 11.04.2018
5	19.05.2018	CA No 9710-9711/2018 filed by Coal India Limited (CIL) in supreme court, challenging NGT's order dtd 08.12.2017 against OA No 19/2014	NGT's order dtd 08.12.2017 directed for separate enquiry by Assam PCB against CIL and OIL for violation of Water Act, 1974 and Hazardous Waste (Management & Handling) Rules, 1989
6	May, 2019	OIL planned to start Drilling Campaign for 26 wells against the EC proposal No: IA/AS/IND2/220363/2007	Drilling of 25 th and 26 th wells planned to complete by October,2023 after obtaining EC applied initially for TOR on 11.04.2018

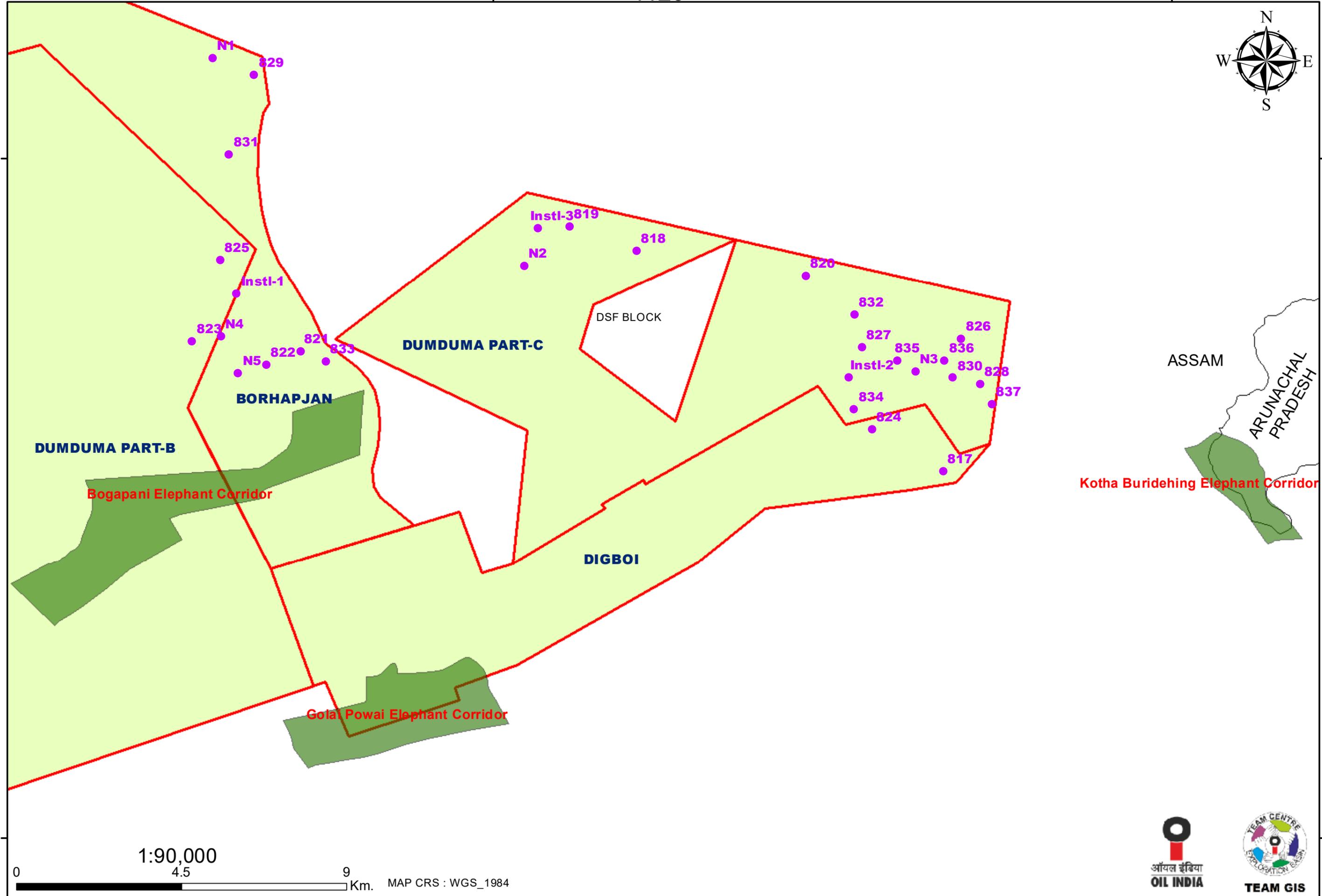
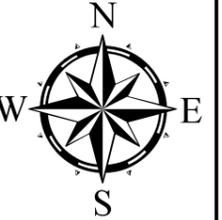
7	11.10.2021	Submission of Form-2 by OIL on for grant of EC against proposal No: IA/AS/IND2/220363/2007	
8	(20-22) October, 2021	42 nd EAC (Industry-2) meeting , where OIL's EC proposal No: IA/AS/IND2/220363/2007 was appraised	EC was recommended in the 42 nd EAC (Industry-2) meeting
9	November, 2021	OIL was neither concerned nor attended prior to NoV'21 against the CA No 9710-9711/2018 filed by Coal India Limited (CIL) in supreme court, challenging NGT's order dtd 08.12.2017 against OA No 19/2014	Hence OIL was not in a position to apprise about any ongoing court case while submitting Form-2 for grant of EC on 11.10.2021 or during appraisal before EAC (Industry-2) in its 42nd meeting held during (20-22) October, 2021-Which thus may please not be considered as concealment of fact please.
10	04.01.2023	Report submitted by the committee constituted by MoEF&CC based on Supreme Court's order dtd 10.08.2022 against CA No 9710-9711/2018 filed By Coal India Limited on 19.05.2018	Report highlights only about the Oil seepage issue in the 100+ years old Digboi field of OIL , which is a natural phenomenon in Digboi field due to Oozing out of oil to the surface
11	04.12.2023	Member Secretary, EAC (Industrt-2) advised OIL that, EC for the project is put on hold due to ongoing court case and OIL should approach Ministry for grant of EC only after final closure of the court case	
12	27.04.2023	CA No 9710-9711/2018 filed by Coal India Limited (CIL) in May, 2018 disposed of by the Supreme Court on and referred back to NGT along with compliance reports submitted by the associated parties with directive to NGT to give a fresh look to the matter in accordance with law by giving opportunity of hearing to the respective parties	
13	27.02.2024	OIL uploaded letter dtd 23.02.2024 in PARIVESH portal clarifying Member Secretary, EAC (Industrt-2) in details about the ongoing Court Case etc	
14	01.07.2024	OIL team met Member Secretary, EAC (Industrt-2) in person and handed over a copy of the letter uploaded in PARIVESH portal on 27.02.2024 (letter dtd 23.02.2024)	
15	03.10.2024	Additional Secretary, MoEF&CC vide his DO letter informed CMD, OIL about concealment and misrepresentation of facts against EC proposal No: IA/AS/IND2/220363/2007 leading to avoidable delay with respect to grant of EC for the referred project	

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27°30'0"N

27°20'0"N

27°20'0"N



ASSAM

ARUNACHAL PRADESH

Kotha Buridehing Elephant Corridor

1:90,000



MAP CRS : WGS_1984



TEAM GIS

Tentative Drilling Plan for 26 wells in 876 sq Km Doomdooma-Pengri EC Block (wef May, 2019 up to Oct'23)

Sl no	Well and Production Installations	Latitude	Longitude	Corresponding PML	Distance from Bogapani Elephant Corridor	Original Work Execution Plan
1	N1	27°31'28.30"N	95°35'52.23"E	Borhapjan PML (31 sq Km)	9.92 Km	May, 2019
2	829	27°31'13.53"N	95°36'28.86"E		9 Km	Oct'19
3	831	27°30'3.29"N	95°36'6.62"E		7.10 Km	March, 2020
4	Prod Inst-1	27°28'0.43"N	95°36'13.39"E		3.5 Km	August, 2020
5	N4	27°27'22.51"N	95°35'59.79"E		2.65 Km	Oct'21
6	N5	27°26'50.42"N	95°36'14.89"E		1.69 Km	March, 2022
7	822	27°26'57.23"N	95°36'39.48"E		1.40 Km	July, 2022
8	821	27°27'9.05"N	95°37'10.02"E		1.47 Km	Dec'22
9	833 (Dropped)	27°27'0.63"N	95°37'31.95"E		< 1 Km	May, 2023
10	825	27°28'29.79"N	95°35'59.07"E	Dumduma PML (106.54 sq Km)	4.45 Km	May, 2019
11	823	27°27'17.91"N	95°35'34.21"E		3.10 Km	May, 2019
12	820	27°28'15.77"N	95°44'36.40"E		Far away	Oct'19
13	832	27°27'41.83"N	95°45'19.31"E		Far away	Oct'19
14	827	27°27'13.32"N	95°45'26.22"E		Far away	March, 2020
15	Prod Inst-2	27°26'46.08"N	95°45'14.54"E		Far away	March, 2020
16	834	27°26'18.24"N	95°45'18.93"E		Far away	August, 2020
17	N3	27°26'51.50"N	95°46'13.37"E		Far away	August, 2020
18	826	27°27'20.56"N	95°46'53.82"E		Far away	Oct'21
19	828	27°26'40.67"N	95°47'10.21"E		Far away	Oct'21
20	837	27°26'23.03"N	95°47'20.84"E		Far away	March, 2022

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21	830	27°26'46.38"N	95°46'46.28"E	Dumduma PML (106.54 sq Km)	Far away	March, 2022
22	Prod Inst-3	27°28'58.21"N	95°40'39.32"E		Far away	July, 2022
23	819	27°28'59.66"N	95°41'7.82"E		Far away	July, 2022
24	N2	27°28'24.95"N	95°40'27.72"		Far away	Dec'22
25	818	27°28'38.51"N	95°42'6.84"E		Far away	Dec'22
26	835	27°27'1.22"N	95°45'57.33"E		Far away from Bogapani Elephant Corridor and 18.60 Km from Dihing Patkai NP	May, 2023
27	836	27°27'1.20"N	95°46'38.87"E		Far away from Bogapani Elephant Corridor and 19.60 Km from Dihing Patkai NP	May, 2023
28	824	27°26'0.47"N	95°45'34.64"E	Digboi PML (51.99 sq Km)	12.36 Km	Oct'23
29	817	27°25'23.51"N	95°46'37.84"E	*Operational since 1889 (135 years old field where more than 1,000 wells drilled so far)	14.20 Km	Oct'23

MATTER IS LISTED ON 27.04.2023 COURT 5 ITEM 105

SECTION XVII

IN THE HONBLE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9710-9711 OF 2018

IN THE MATTER OF:-

COAL INDIA LIMITED

...APPELLANT

VERUS

KASHMIRA KAKATI & ORS.

...RESPONDENTS

INDEX

Sl. No.	Particulars	Copies	Court Fee
01.	Compliance Affidavit on Behalf of the Respondent No. 8, Oil India Limited.	1+3	Nil/-
	TOTAL		Nil/-

Copy to,

Mr Neeraj Kumar Gupta, Advocate, (neerajattorney@gmail.com)Mr Suvodeep Gupta, Advocate, (shuvodeep_roy@rediffmail.com)Mr Mayuri Raghvanshi, Advocate (raghuvanshi.mayuri@gmail.com)Mr Avijit Roy, Advocate, (avijitroy.aor@gmail.com)Mr Gurmeet Singh Makker, Advocate, (gs.makkar@gov.in)

Filed by

TRUST LEGAL
Advocate for the Respondent
D-415, Defence Colony,
New Delhi 110024,**(Computer Code : 2725, Mob No.: 9899545281****Email: gaichangadvocate@gmail.com**

New Delhi

Date :26.04.2023

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Gaichangpou Gangmei <gaichangadvocate@gmail.com>

**Compliance Affidavit on Behalf of the Respondent No. 8, Oil India Limited.CA
NO.9710-9711 OF 2018**

1 message

Gaichangpou Gangmei <gaichangadvocate@gmail.com>

Wed, Apr 26, 2023 at 8:26 PM

To: neerajattorney@gmail.com, raghuvanshi.mayuri@gmail.com, avijitroy.aor@gmail.com, gs.makkar@gov.in,
shuvodeep_roy@rediffmail.com

Sir / Madam,

Please find attached a copy of Compliance Affidavit on Behalf of the Respondent No. 8, Oil India Limited.CA NO.9710-9711 OF 2018, Listed Before the Hon'ble Supreme Court on 27.04.2023 court 5 item 103.

Kindly note this email shall be treated as proof of service.



GAICHANGPOU GANGMEI
ADVOCATE-ON-RECORD

Gaichangpou Gangmei,**Advocate-on-Record**

Mob. +91 9899545281

Office:

Q22 B First Floor,

Jangpura Extension,

New Delhi-110 014

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email: gaichang@gaichangadvocate.com**Disclaimer:**

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**Compliance Affidavit on behalf of Oil India Ltd..pdf**

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IN THE HON'BLE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9710-9711 OF 2018

IN THE MATTER OF: -

COAL INDIA LIMITEDAPPELLANT

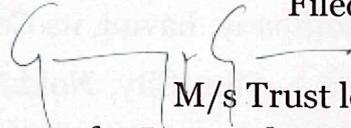
VERUS

KASHMIRA KAKATI & ORS. ...RESPONDENT

INDEX

S.N.	Particulars	Page No.
1.	Compliance Affidavit on behalf of the Respondent No 8, Oil India Limited.	1-14

Filed by



M/s Trust legal

Advocate for Respondent No.8

The Trust Legal House, D-415, Defence Colony, New Delhi,

110024, Mobile No.: 9899545281

Email:Gaichangadvocate@gmail.com

New Delhi

Date: 26.04.2023

Dr. Kumudani Sharma
Head (Legal)
Oil India Limited
Authorized Signatory

IN THE HON'BLE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 9710-9711 OF 2018

IN THE MATTER OF:-

COAL INDIA LIMITEDAPPELLANT

VERUS

KASHMIRA KAKATI & ORS. ...RESPONDENT

**COMPLIANCE AFFIDAVIT ON BEHALF OF THE
RESPONDENT NO. 8, OIL INDIA LIMITED**

MOST RESPECTFULLY SHOWETH –

I, Dr. Kumudani Sharma, Dy. General Manager (Legal), the Authorized Representative of the Respondent No. 8 company, having its Corporate Office at Plot No. 19, Sector 16 A, Film City, Noida – 201301, Uttar Pradesh, and duly authorized vide a General Power of Attorney dated 12.09.2021, do hereby solemnly affirm and submit as under:

1. I submit that I am well acquainted with the facts and circumstances of the present case on the basis of the records thereof maintained by the Respondent No 8 and am as such competent to swear the instant Affidavit.

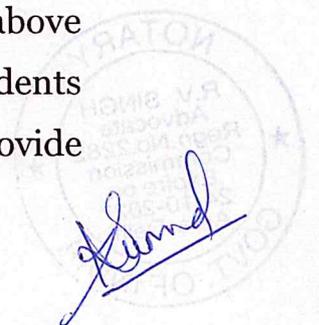


Dr. Kumudani Sharma
Head (Legal)
Oil India Limited
Authorised Signatory

2. It is most humbly submitted that the present Compliance Affidavit is being filed in view of the Affidavit filed by Respondent No. 2, Ministry of Environment and Forest and in pursuance of directions passed this Hon'ble Court *vide* order dated 09.02.2023 and 16.03.2023 in the captioned matter.
3. At the outset, it is humbly submitted that the historical and geographical background of the Digboi Oil field merits attention of this Hon'ble Court which has also been well accepted by the National Green Tribunal in the Impugned Order dated 08.12.2017 inasmuch as the Impugned Order *inter alia* specifically records that the *Committee noticed natural seepage in drain no. 1 of Digboi Oil Field* which has been accepted by the Tribunal and has not been challenged by any party till date.
4. It is most respectfully submitted that even as per the compliance affidavit filed by the Respondent No. 5 in March 2023, upon verification it has been confirmed that the answering Respondent has complied with the directions of the Pollution Control Board Assam, i.e., the Respondent No. 5.
5. It is humbly submitted that notwithstanding the above and in addition thereof, the Answering Respondents *vide* the present Compliance Affidavit seeks to provide



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its responses qua the findings of the Respondent No. 2 in respect of the directions passed by the National Green Tribunal vide its order dated 08.12.2017. The extract of the relevant direction of the National Green Tribunal concerning the answering Respondent is reproduced below for the sake of convenience of this Hon'ble Court:

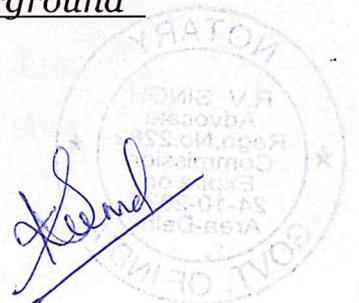
“Respondent No7 i.e. Oil India Limited to forthwith stop releasing of untreated oil effluent in open sludge pits and seepage areas around oil rigs in the Digboi Oil Field which falls within upper Dihing RF (East Block) and the Dihing – Patkai Elephant Reserve”

6. It is stated that the Ministry of Environment and Forest & Climate Change conducted an inquiry on the compliance of Hon'ble NGT judgement dated 08.12.2017 and presented its report dated 04.01.2023 in the Compliance Affidavit as filed before this Hon'ble Court. It is most humbly submitted that the findings of the Respondent No. 2 are erroneous and unsubstantiated and fail to bring before this Hon'ble Court the correct representation of the conditions on ground. The findings of the Report of Respondent No. 2 and the responses qua the same are as follows:

6.1. Finding No. 1: Oil is leaking from underground pipelines in the Reserve Forest



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sites and therefore a sweeping statement of leakage of underground pipeline cannot be placed reliance upon.

6.2. Finding No. 2: At several places, oily sludge pits of abandoned wells have been found and natural drains pass through these pits.

i. It merits the attention of this Hon'ble Court that the Digboi Oil field draws from a rich historical background, which plays a significant role in its present circumstances. The concerned Digboi Oil Fields have been in existing since last 100 years. The Crude Oil was discovered in the far east of India at Digboi in 1889 by the erstwhile Assam Railway & Trading Co (AR&T), which subsequently developed the Digboi Oil Field, located within the present day Dihing Patkai Reserve Forest.

ii. The Answering Respondent came into existence, much later in the year 1959 as a Joint Venture Company of Burmah Oil Company and Government of India, having minority share and was subsequently fully nationalized in the year 1981 through the Burmah Oil Company [Acquisition of Shares of OIL India Limited and of the Undertakings in India of Assam Oil



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- i. At the outset, it is stated that the Committee constituted by Respondent No. 2 visited only 3 sites, namely Pit No. 512, 513 and 139 in the concerned Digboi region and have prepared the said Report on the basis of those findings alone. It is humbly submitted that there is no leakage or seepage of crude oil through any underground pipelines in the Reserve Forest area.
- ii. It merits the attention of this Hon'ble Forum that the concerned premises as inspected by the Committee does not have any crude oil pipeline. Further, it is submitted that the pipelines present are periodically supervised and monitored by the internal HSE (Health, Safety and Environment) department of the answering Respondent. However, in the absence of any specification provided by the Ld. Committee with respect to the block in which the pipeline has been allegedly found to be leaking, the answering Respondent has inspected all its pipelines which have found to be in good condition. Further, it is respectfully submitted that even otherwise the answering Respondent regularly assures that there is no infiltration or leakage of pipeline as this is not only an environmental concern but also a hazard which can lead to an unfortunate incident. In addition, it is also humbly reiterated that Oil Industry Safety Directorate (OISD) also periodically audits the



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A handwritten signature in blue ink, appearing to read 'Kumudani'.

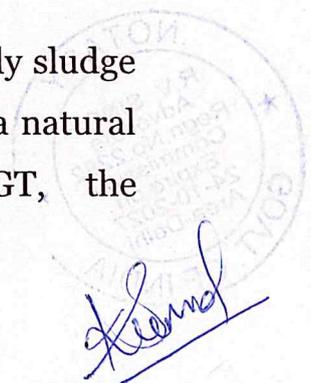
Company Limited and the Burmah Oil Company (India Trading) Limited] Act, 1981.

iii. It is most humbly submitted that the Answering Respondent along with the said Oil field have also inherited a few pits containing oily debris located within the Reserved Forest. However, it merits the attention of this Hon'ble Court that the answering Respondent has actively participated and undertaken proactive measures for bio-remediation of the natural phenomenon of oily seepage.

iv. It is humbly submitted and reiterated that the historical and geographical background of the Digboi Oil field merits attention of this Hon'ble Court which has also been well accepted by the National Green Tribunal in the Impugned Order dated 08.12.2017 inasmuch as the Impugned Order *inter alia* specifically records that the *Committee noticed natural seepage in drain no. 1 of Digboi Oil Field* which has been accepted by the Tribunal and has not been challenged by any party till date.

v. It is submitted that even though the oily sludge pits have been noted and accepted as a natural phenomenon by the Hon'ble NGT, the

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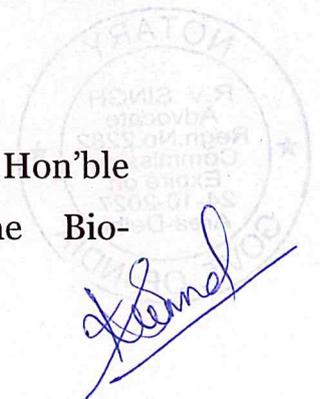


answering Respondent has on its own accord undertaken bio-remediation activities in the Digboi Oil Field region. It is brought to the knowledge of this Hon'ble Court that Bioremediation is a process that uses naturally occurring microorganisms to transform harmful substances to nontoxic compounds. Bioremediation exploits this natural process by promoting the growth of microbes that can effectively degrade specific contaminants. Thus, Oilzapper technology utilizes the bioremediation potential of specific microbes that degrades the toxic hydrocarbon compounds leaving behind non-hazardous end products or metabolites and hence no harmful effects. Not only this is environment-friendly technique, but also is highly cost effective when compared to storage of oily waste/oily sludge in sludge pits.

vi. It is humbly submitted that the answering Respondent had undertaken bio-remediation activities in the Digboi Oil Field region under the supervision of Research and Development, HSE and erstwhile Production (Oil) Department.

vii. It merits the attention of this Hon'ble Court that on application of the Bio-

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areas of operation are spread out in large extents hence physical monitoring of the entire fenced area is practically unviable. However, the answering Respondent time and again addresses these concerns, even though the issue of theft is a recurring one.

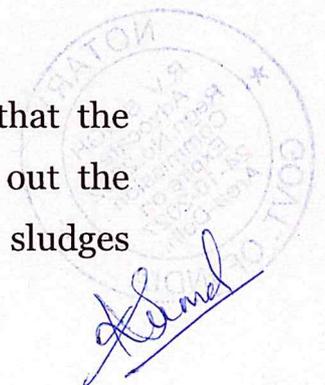
6.4. Finding No. 4: More than 800 wells have been drilled since the operation of Burma Oil Company Ltd. Oil India Ltd does not even have the inventories of these abandoned on wells, let alone treatment of these pits.

i. It is humbly submitted that the oil fields are in operation since 1889 and have changed hands before the present Respondent No. 8 was incorporated in 1959 and inherited the business of the erstwhile company. Post 1959 the present Respondent has been maintaining the records and the same have been subjected to various audits by independent and statutory agencies periodically. It is humbly submitted that there are a total of about 982 wells out of which about 644 are shut-in, about 293 are abandoned and 45 are producing wells.

ii. It is further most humbly submitted that the Respondent No. 8 has been carrying out the task of Bio-remediation of these oily sludges



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remediation and Oil Zapper technology, the answering Respondent has been successful to reduce the Total Petroleum Hydrocarbons (TPH) at the Oily sludges to negligent levels.

6.3. Finding No. 3: Oil spill have been found in several oil producing wells and Crude Gathering Stations. No fencing had been provided at these well sites.

i. It is most humbly submitted that the findings of the Committee are unfortunately not supported by any pictures or on ground task reports. It is at the outset clarified that there do not exist any Oil Spills as alleged in the Report. However, it merits the attention of this Hon'ble Court that in a circumstance that an oil spill occurs during operations or any other concern is found in the pipeline, the same is rectified immediately and the site is cleaned and restored, as per the internal SOPs of the answering Respondent.

ii. It is further humbly submitted that the answering Respondent in bona fide had also engaged in iron fencing of well sites, howsoever owing to local miscreants, a number of thefts of such iron fencing has been observed which results in severe inconvenience for the answering Respondent as well. Further the



Dr. Kumudani Sharma
Head (Legal)
Oil India Limited
Authorised Signatory

way prior to the Judgment passed by the Hon'ble NGT and endeavors to undertake the same in the upcoming future as well. It merits the attention of this Hon'ble Court that contrary to the findings of the Committee not every abandoned well has a pit and the origin of pits has not been document, however the same was not a result of any activities undertaken by the Respondent No. 8 in the concerned region.

iii. It is humbly submitted that Respondent No. 8, after periodically monitoring the pits have identified and steps are taken for rectification as and when oily sludge/seepage is found due to the natural phenomenon of the region. It however, also merits the attention of this Hon'ble Court that despite the bio-remediation work being carried out in the area, the oil seepage has been observed which appears to be a natural seepage and not owing to any action or inaction of the answering Respondent and is recurring in nature.

iv. It is stated that the Office of Divisional Forest Officer, Digboi Division by Letter bearing no. B/NGT/2022/2743-45 dated 16.11.2022 had requested the present Respondent to provide details, including location, number of sites, geo-coordinates, area and map of dumping the



Dr. Kumudani Sharma
Head (Legal)
Oil India Limited

A handwritten signature in blue ink, appearing to read "Dr. Kumudani Sharma", written over a faint circular notary seal.

waste with geographical location/ geo coordinates by the Digboi municipality, Indian Oil Corporation Limited and Oil India Limited along with details including location, number of pits, geo-coordinates, area and map of the open sludge pits, oil pits and contaminated water bodies in and around the Dihing Patkai Elephant Reserve. The answering Respondent accordingly in bona fide *vide* reply dated 28.11.2022 had shared the geo-coordinates of the Natural and artificial pits in the Digboi Oil Field along with the Map showing the location of the pits.

6.5. Finding No. 5: In the three oil sludge remediation sites visited, the remediation has not resulted in complete conversion of oily sludge into biodegradable matter. They do not even maintain the inventories of abandoned oil wells.

- i. It is most humbly stated that as per the findings of the Committee, admittedly, despite the bio-remediation work being carried out in the area, oil seepage has been observed which appears to be a natural seepage and not owing to any action or inaction of the answering Respondent. It merits the attention of this Hon'ble Court that the Answering Respondent has been taking



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remedial measures from July 2010 itself and the entire oil debris have already been treated through Bio remedial measures time to time. It is respectfully submitted that Answering Respondent has bio-remediated all the oil-debris site, mostly inherited from erstwhile Assam Oil Company, and presently, however since the same is a natural phenomenon, the recurrence of the oily sludges has been observed in the Region.

- ii. It is further humbly submitted that given the said circumstances, the answering Respondent is yet again undertaking bio-remediation work in the area and shall continue to address the issue, as and when observed.
- iii. At the outset it is submitted that the oil fields are in operation since 1889 and have changed hands before the present Respondent No. 8 was incorporated in 1959 and inherited the business of the erstwhile company. Post 1959 the present Respondent has been maintaining the records and the same have been subjected to various audits by independent and statutory agencies periodically.



6.6. Finding No. 6: Oil India limited has been unable to stop the release of untreated oil effluent in

Dr. Kumudani Sharma
Head (Legal)
Oil India Limited

open sludge pits and seepage areas around oil rigs
in the Digboi Oil field.

- i. It is humbly submitted that as against the finding of the Committee, the judgment passed by the Hon'ble NGT observes that no untreated oil effluent in open sludge pits is being released by Respondent No. 8 and that occurrence of oily sludges as witnessed is owing to natural seepage and not due to any action/ inaction of the answering Respondent.
- ii. It is most humbly stated that a bare perusal of the test reports of the pits as visited by the Committee, conducted to examine the soil quality by taking a sample of Oily sludge in proximity of wells as prevalent before and after application of Oil Zapper shows remarkable deduction in presence of Total Petroleum Hydrocarbons (HE-TPH) in the same. It is most humbly stated that evidently the process of Bio-remediation and application of Oil Zapper technology has aided drastic reduction in the amount of Hydrocarbons to negligent levels in the areas adjoining the oil wells.
- iii. However, it is most humbly stated that the fresh seepage as observed is possibly due to the natural phenomenon and appropriate action



Dr. Kumudani Sharma
Head (Legal)
Oil India Limited

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has been taken for bio-remediation activity by the answering Respondent through TERI. As a matter of fact, the experts from TERI had visited the concerned site for analysis of the present circumstances and their proposal on bio-remediation is awaited by the Respondent No. 8.

- 7. It is stated that the contents of the above affidavit are true and correct to the best of my knowledge and belief and no part of this affidavit is false and nothing material has been concealed therefrom.

[Handwritten Signature]

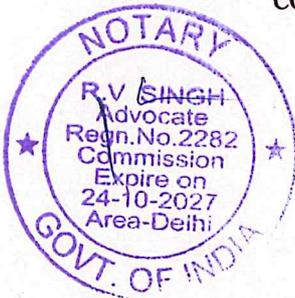
DEPONENT
Dr. Kumudani Sharma
Head (Legal)
Oil India Limited
Authorised Signatory

VERIFICATION

[Handwritten Signature]
D/10 257/2021
I Identify the deponent/ deponent
who has signed in my presence

26 APR 2023

Verified at Delhi on day of April 2023 that I, the above name deponent do hereby verify that the contents of the above affidavit are true and correct to the best of my knowledge and belief. No part of this affidavit is false and nothing material has been concealed there form.



[Handwritten Signature]

DEPONENT
Dr. Kumudani Sharma
Head (Legal)
Oil India Limited
Authorised Signatory

Solemnly affirmed before me, read over & explained to the deponent

Notary Public, DELHI

26 APR 2023

GM (HSE)

Pl deal & discuss

Sh. G. Ram G. G. Pt. discuss 17/11



Government of Assam
Office of the Divisional Forest Officer
Digboi Division: Digboi

SM (EA) As discussed on 24/11

EIS (EA) respond

Priyanka Purkayastha

Ph.No.03751264433

Email ID: dfodigboi@gmail.com

Letter No. B/NGT/2022/ 2743-45

Dated: 16-11-2022

To,

1. The Resident Chief Executive, Oil India Limited, Duliagan
2. The Executive Director, Indian Oil Corporation Limited (AOD), Digboi
3. The Chairman, Digboi Town Committee

20/11/22

Sub:- Civil Appeal 9710-9711/2018, Coal India Ltd.-Vs-Dr. Kashmiri Kakati & Ors. in the Supreme Court of India-reg.

Ref:- The Scientist 'E' (Project Elephant), Ministry of Environment, Forests & Climate Change, Govt. of India's letter F. No. 6-16/2021-PE-Part (1) dt. 04/10/2022.

Sir,

In inviting a reference to the subject cited above, I am forwarding herewith a copy of the letter mentioned under reference received from the Scientist 'E' (Project Elephant), Ministry of Environment, Forests & Climate Change, Govt. of India regarding the Civil Appeal No. 9710-9711/2018 (Coal India Ltd.)-Vs-Dr. Kashmiri Kakati & Ors.

In this regard, being the respondent of the Civil Appeal, you are requested to kindly provide the requisite information/documents on the point No. (a) & (c) respectively contained in the letter referred above in respect of your establishment for further necessary action.

Your early action in this regard is highly appreciated.

Encl:- As above.

Yours faithfully

(T.C. Ranjith Ram, IFS)
Divisional Forest Officer
Digboi Division, Digboi

16/11/2022



1458
17/11/22



F.No. 6-16/2021-PE-Part(1)
Government of India/ भारत सरकार
Ministry of Environment, Forests & Climate Change/ पर्यावरण, वन और
जलवायु परिवर्तन मंत्रालय
(Project Elephant Division/हाथी परियोजना विभाग)

6th Floor, Vayu Wing,
Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi-110003

Dated 04.10.2022

To,
The Divisional Forest Officer,
Digboi Forest Division &
Dihing Patkai National Park
Forest Department, Assam,

Sub:- Civil Appeal 9710-9711 of 2018, Coal India Limited Vs. Dr Kashmirakakati & Ors in the Supreme Court of India – reg.

Sir,

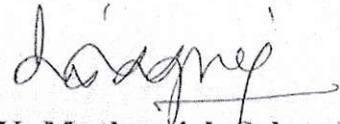
With reference to the Order dated 10.08.22 in Civil Appeal 9710-9711 of 2018, *Coal India Limited Vs Dr Kashmirakakati & Ors*, the Supreme Court of India had asked the Ministry of Environment, Forest and Climate Change to conduct an inquiry and furnish a report thereon in compliance of the National Green Tribunal's Order (i.e., Order dated 08.12.2017 in the matter of *Dr Kashmirakakati Vs Union of India and others (OA 19/2014)*, after taking assistance from Respondent no 3 (*Principal Chief Conservator of Forests and Chief Wildlife Warden*)) and 4 (*Assam State Pollution Control Board*).

- ✓ a) Details (location, number of sites, geo-coordinates, area, and map) of dumping the waste with geographical location/geo coordinates by the Digboi municipality, Indian Oil Corporation Ltd and Oil India ltd.
- b) Division wise elephant census carried out after 2017.
- c) Details (location, number of pits, geo-coordinates, area, and map) of open sludge pits oil pits and contaminated water bodies in and around the Dihing Patkai Elephant Reserve.

4142

You are hereby requested to kindly provide the above information within two days.

Yours faithfully,



(Dr. K. Muthamizh Selvan)

Scientist 'E' (Project Elephant)

Email id: km.selvan@gov.in

Telephone No. 011-

24695067

Copy to:

Principal Chief Conservator of Forest, Government of Assam.



ऑयल इंडिया लिमिटेड
(भारत सरकार का उद्यम) पंजीकृत कार्यालय : दुलियाजान, असम
Oil India Limited
(A Government of India Enterprise) Registered Office : Dulajain, Assam
पूर्वी परिसंपत्ति, डिगबोई
EASTERN ASSET, DIGBOI

4143
Annexure-R-8

P.O. : DIGBOI-786171
DIST. : TINSUKIA, ASSAM
e-mail : digboi@oilindia.in

Ref. No. AM/EA/E24/641/2022

Date: 28.11.2022

To,

Divisional Forest Officer

Digboi Division, Digboi

Sub: Civil Appeal 9710-9711/2018, Coal India Ltd.-Vs-Dr. Kashmira Kakati & Ors. in the Supreme Court of India-reg.

Ref: Letter No.: (i) F.No. 6-16/2021-PE-Part (1) dt. 04.10.2022 (copy enclosed).
(ii) B/NGT/2022/2743-45 dt. 16.11.2022 (copy enclosed)

Sir,

With reference to the above-mentioned subject and in response to your letter no.: B/NGT/2022/2743-45, regarding point no. (c) of letter no.: F.No. 6-16/2021-PE-Part (1) please find the attached document containing:

1. Details (Latitude & Longitude) of Natural & Artificial Pits in Digboi Oil Field.
2. Map showing location of pits.

Sanjay Verma

Sanjay Verma
ED (Asset Manager)-EA
Oil India Limited

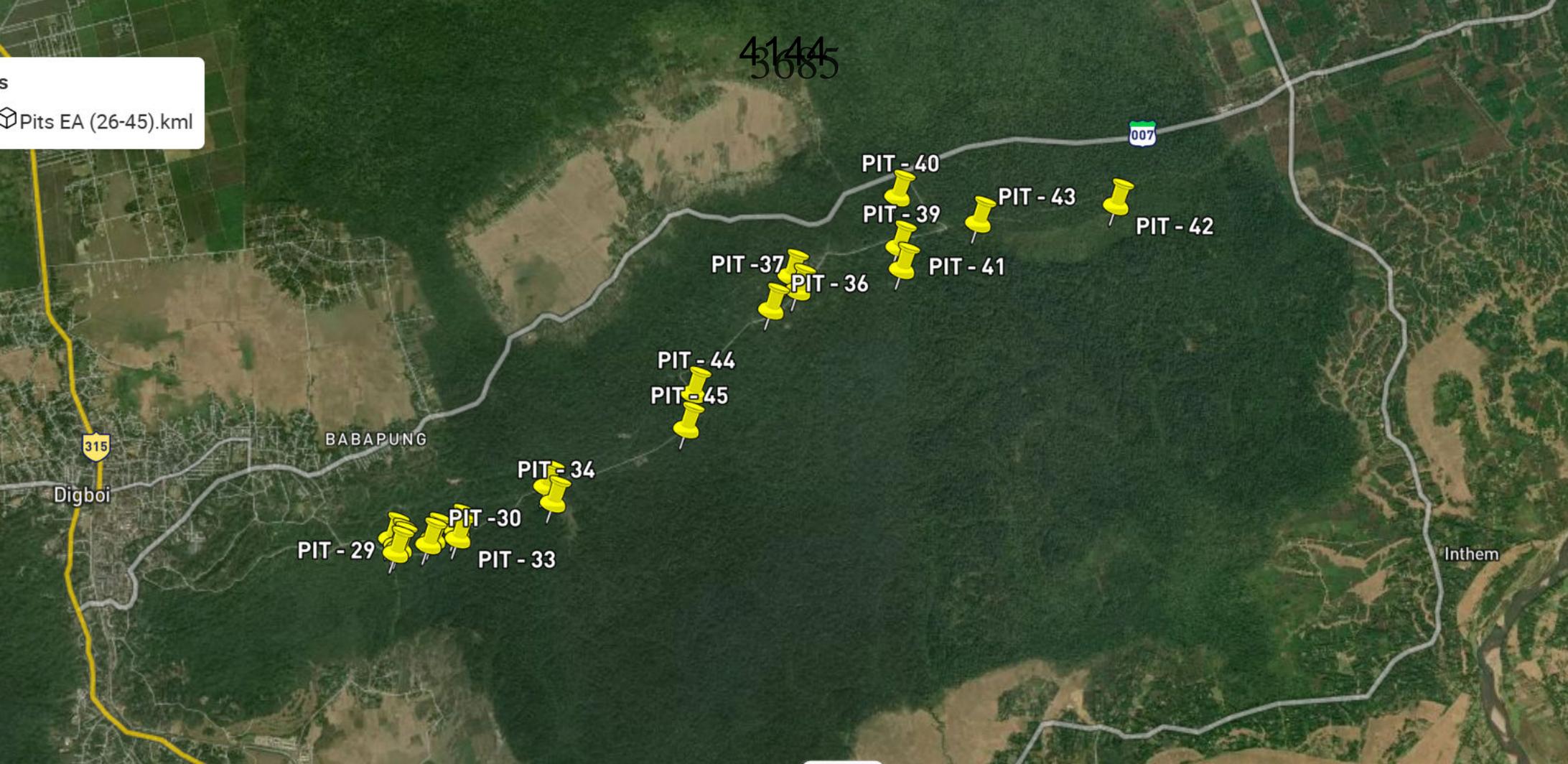
**Asset Manager
Eastern Asset**

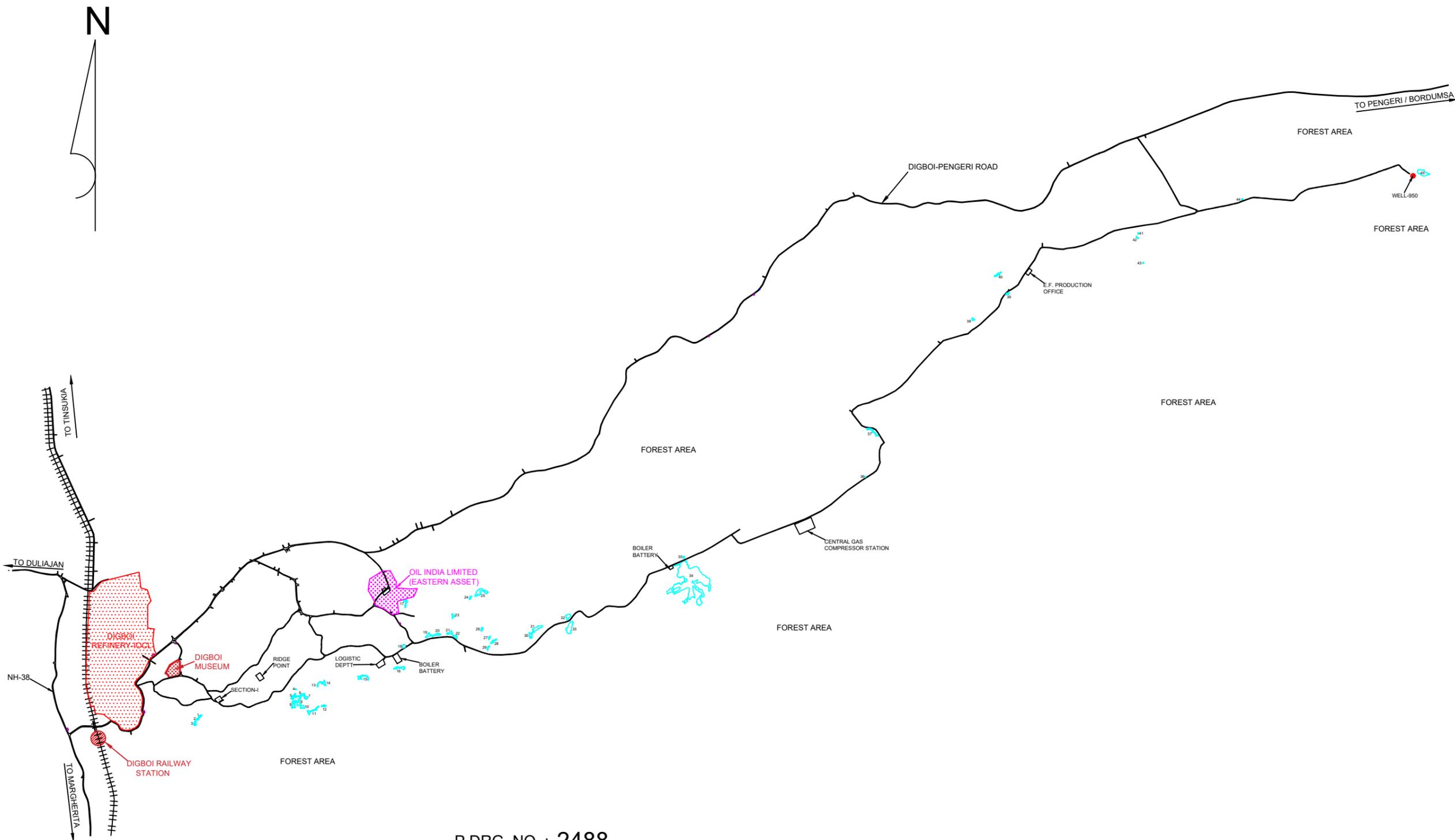
Copy: RCE-OIL
CGM-HSE

Encl.: As above

s
Pits EA (26-45).kml

4144
3685





P.DRG. NO. : **2488**
SUBJECT: MAP SHOWING NATURAL AND ARTIFICIAL PIT AT
DIGBOI OIL FIELD UNDER OIL INDIA LIMITED (EASTERN ASSET).
SCALE: 1:12000

Rejoinder to the reply affidavit filed by Original Applicant, Dr. Kashmira Kakkati to I.A. No. 533 of 2025.

1 message

garimaraisinghani trustlegal <raisinghanigarima.trustlegal@gmail.com>

Sat, Nov 22, 2025 at 6:31 PM

To: "shariqcounsel2005@gmail.com" <shariqcounsel2005@gmail.com>, rajnishprasadaorsc@gmail.com, admin@eldfindia.com, secy-moef@nic.in, cs-assam@nic.in

Cc: PETAL CHANDHOK <petalchandhok@trustlegal.in>, pramod singh <pramod.trustlegal@gmail.com>

Dear Sir,

We write under instructions from and on behalf of Oil India Limited, i.e.the Applicant in I.A. No. 533 of 2025.

The captioned application bearing I.A. No. 533 of 2025 was listed on 08.10.2025 before the Hon'ble National Green Tribunal, Principal Bench and the Hon'ble Tribunal granted us liberty to . file rejoinder to the reply affidavit filed by Original Applicant, Dr. Kashmira Kakkati to I.A. No. 533 of 2025.

In view of the same, please find attached herewith the rejoinder to the reply affidavit filed by Original Applicant, Dr. Kashmira Kakkati to I.A. No. 533 of 2025.

Please note that by way of this instant email, we are effectuating service of the rejoinder to the reply affidavit filed by Original Applicant, Dr. Kashmira Kakkati to I.A. No. 533 of 2025.

Regards,

Garima Raisinghani

Advocate | Senior Associate



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ASIAN LEGAL
BUSINESS



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- Trust Legal recognised as a Notable Firm in 'Mergers and Acquisitions' in India by Asia Legal Business, 2022.
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Rejoinder to the reply affidavit filed by Original Applicant, Dr. Kashmira Kakkati to I.A. No. 533 of 2025..pdf
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