

SITE INSPECTION REPORT REGARDING OIL AND GAS PIPELINES IN UPPER ASSAM
Submitted to the the Standing Committee of the National Board for Wildlife

M. D. Madhusudan

Nature Conservation Foundation

Member, Standing Committee-National Board for Wildlife

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DIBRU SAIKHOWA NATIONAL PARK (Pic: MD Madhusudan)

Specific proposals under consideration

1. Proposal for use of 114.267 ha of non-forest land falling with 10 km of Dibru-Saikhowa National Park and Borajan-Bherjan-Podumoni Wildlife Sanctuary for laying crude oil pipeline by OIL
2. Proposal for use of 304.15 ha of non-forest land for expansion of gas field development in Tengakhat-Naharkotia-Jorajan area, Tinsukia-Dhola area and Doom-Dooma-Pengeri area

BACKGROUND

The first proposal i.e., pertaining to transfer of 114.267 ha of non-forest land falling within 10 km of Dibru-Saikhowa NP and Borajan-Bherjan-Podumoni WLS for laying of crude oil pipeline etc by Oil India Ltd., Assam was first put before the Standing Committee-National Board for Wildlife (SC, NBWL) in its 27th meeting on 12th December 2012. The detailed minutes of the meeting can be seen here: <http://www.moef.nic.in/assets/mom-nbwl-28012013.pdf>.

To summarise, the permission for this pipeline was given with due conditions. Members had, at the time, also mentioned the importance of the Dibru- Saikhowa NP, and expressed concern on various threats to the park, that needed urgent attention.

Subsequently, there were interventions from the local people and NGOs who raised ecological and livelihood concerns about the pipelines and also brought to attention some ambiguity regarding facts presented to the SC, NBWL (Annexure 1a & 1b). Following this, the matter was brought up in the 28th meeting of the SC, NBWL held on 20th March 2013, along with a discussion on a proposal for expansion of gas field development in the same region. The minutes can be accessed here: <http://moef.nic.in/assets/wl-nbwl-200313.pdf>. A brief of the relevant portion is given below:

“Proposal for Oil India Ltd. for use of 304.15 ha non-forest land falling within 10 km from the boundary of Dibru-Saikhowa National Park and Bherjan-Borajan-Padumoni Wildlife Sanctuary for expansion of gas field development in Tengakhat-Naharkotia-Jorajan area, Tinsukia-Dhola area and Doom Dooma-Pengeri area in Assam.

The Committee after discussion decided that Ms. Prerna Bindra and Dr M.D. Madhusudan shall undertake site inspection with respect to this proposal as well as with respect to the following proposal that were recommended in the 27th meeting held on 12.12.2012 and submit a combined report to the committee for its consideration:

“Proposal for use of 114.267 ha of non-forestland falling within 10 km from the boundary of Dibru-Saikhowa National Park and Borjan-Bherjan-Padumani Wildlife Sanctuary for laying of crude oil pipeline etc. by Oil India Ltd., Assam”

SITE INSPECTION DETAILS

We carried out our site-inspection between 31st August, 2013 and 2nd September, 2013.

We arrived on 31st August, 2013 and met Dr Vaibhav Mathur, DCF, Tinsukia Wildlife Division, in whose administrative jurisdiction the proposed projects were located. Shri Mathur explained to us the location of key wildlife habitats in the area, the proposed alignment of the oil and gas pipelines, and broader conservation issues facing the Dibru-Saikhowa National Park and Borajan-Bherjan-Podumoni WLS. That afternoon and evening, we visited the Maguri-Motapung Beel, a vast wetland area under which the

pipeline in Proposal 1 was proposed to be laid, and met local people, including fishermen at Bhebejia, who were dependent on this wetland for their livelihoods. We also visited the oil well at Baghjan, the origin of the pipeline in Proposal 1. We traversed various points along the alignment of this pipeline, including through the Baghjan Tea Estate, as well points where it intersected the Assam Trunk Road near Makum, and near Borajan WLS. We also subsequently visited locations along which some of the feeder pipelines for Proposal 2 passed, and also visited the main Madhuban Central Gas Gathering Station and Off take Point, which was the termination point for these pipelines.

On 1st September, 2013, we visited Dibru Saikhowa National Park to understand its ecological setting and conservation challenges. We met with officials of Oil India Limited at the Circuit House in the evening, and they made a presentation detailing the alignment and drilling technology, specifically to be used to lay the pipeline beneath Maguri-Motapung Beel besides providing other details pertaining to Proposal 1 and 2. Subsequently, we met with representatives of many local NGOs and citizens who were there to put forward their wildlife, environment and livelihood related concerns about the project. We also met the Deputy Commissioner and Assistant Commissioner Tinsukia that evening. We concluded our site inspection on 2nd September, 2013 with a visit to Borajan WLS.

PEOPLE MET BY SITE INSPECTION COMMITTEE

Assam Forest Department: Dr Vaibhav Mathur, DCF Tinsukia Wildlife Division; Shri Suresh Chand, Chief Wildlife Warden, Assam, Rangers and staff at the Dibru-Saikhowa NP

Government of Assam: Shri Puru Gupta, District Collector, Tinsukia; Shri Ajay Singh Tomar, Assistant Commissioner, Tinsukia

Oil India Limited: Shri Chitrabhanu Bose, GM Production Project; Shri Agadh Medhi, Chief Engineer (Production Gas); Dr BN Shahoo, Chief Engineer (S&E); Shri Ajit Kumar Barua, Chief Engineer (Production Project); Shri Bhaskar Deori, Deputy Superintending Engineer, Production Project

Local NGOs and Community Representatives: Met Shri Sunil Orang and two others, fishermen at Bhebejia on 31 August 2013. Met the following persons at the Circuit House in Tinsukia on 1 September 2013: Mr. Gunadhar Konwar, Honorary Wild Life Warden, Tinsukia; Mr. Bimal Gogoi; Mr. Mridu Paban Phukan; Mr. Nirantar Gohain, Director, WAVE Eco Tourism, Guijan; Mr. Dambaru Chutia, Director, WECO, Barekuri; Mr. Diplab Chutia, WECO, Barekuri; Mr. Jainal Abedin, Banashree Eco Camp, Guijan; Mr. Binanda Hatibaruah, Secretary 'BOBOSA', Natun Gaon; Mr. Biren Chutia, Barekuri; Mr. Binod Chutia, Barekuri; Mr. Bitu Gohain, President Barekuri Anchalik Yuvak Sangha; Mr. Rupam Borgohain, Barekuri Anchalik Yuvak Sangha; Mr. Rakesh Saud.; Mr. Hiren Senapati, Natun Gaon; Mr. Jibon Dutta, Natun Gaon; Mr. Pramod Neog, Natun Gaon; and Mr. Umakanta Hazarika, 'Natun Rangagorah Milan Sangha'.

ISSUES CONSIDERED

I. Proposal for use of 114.267 ha of non-forest land falling within 10 km of Dibru-Saikhowa NP and Borajan-Bherjan-Podumoni WLS for laying crude oil pipeline by Oil India Ltd (OIL)

1. Two specific issues circumscribe this project: First is that the project proponent had carried out construction/ pipeline laying in a possible violation of the 2006 Supreme Court order¹ in the Goa Foundation case, and the second, was a range of ecological and livelihood concerns associated with the laying of a particular stretch of pipeline beneath the Maguri-Motapung wetland. There were also more generic concerns regarding environmental safety that were relevant.
2. First, as a project that falls within the Supreme Court mandated 10-km Ecologically Sensitive Zone (ESZ) around protected areas (till such time that the PA-specific ESZs are *notified*), this project, located within the 10-km ESZ of Dibru-Saikhowa NP and Borajan-Bherjan-Podumoni WLS, required mandatory clearance from the Standing Committee of the National Board for Wildlife *before being implemented*.
 - 2.1. This proposal, to the best of our knowledge, was first brought before the SC-NBWL first at the 27th SC-NBWL meeting on 12/12/2012, at which point, the representative of OIL informed the Standing Committee that “the pipeline was being laid” and has been recorded as such in the minutes of this meeting.
 - 2.2. Although this fact was recorded, in what appears to be an oversight, permission was granted by the SC-NBWL for this project. Following this, local stakeholders pointed out this oversight and raised related issues in a letter to the Chairperson and Members of SC-NBWL (Annexure 1a & 1b), requesting a reconsideration of this decision of the Standing Committee. Thereafter, SC-NBWL member Ms. Prerna Bindra wrote to the Member Secretary, SC-NBWL (Annexure 2) drawing attention to these concerns. Non-official members raised this issue in the subsequent SC-NBWL 28th meeting held on 20th March, 2013. Hence, in this meeting, the earlier permission, granted in the 27th Meeting of the SC-NBWL, was held in abeyance and a site-visit was proposed as the basis for the SC-NBWL to arrive at an informed decision on this project.
 - 2.3. The import of one of the issues raised by local stakeholders about this project was to verify whether this project had commenced implementation in violation of the above Supreme Court order of 2006.
 - 2.4. In our meeting with the DCF, Tinsukia Wildlife Division, we enquired if any construction (even along OIL’s existing Right of Way [ROW]) had taken place before the proposal was placed before the Standing Committee of the NBWL, and it was indicated that this was indeed the case.
 - 2.5. In our meeting with officials of OIL, we raised this issue, but were unable to obtain a clear enough picture. Therefore, in our email to them dated 2nd September, 2013 (Annexure 3), we enquired if indeed any construction had

¹ WP 406/2004, Goa Foundation vs. Union of India, Order dated 04/12/2006

already taken place on this project, as it appeared to us during the site inspection, and as was stated to us by local officials and local stakeholders.

- 2.6. In a response that was handed to us in person by GM (Production Projects), OIL on 4th September, 2013 during the 30th SC-NBWL meeting in Delhi, OIL confirmed to us that such construction had indeed taken place. (Annexure 4).
- 2.7. In a subsequent email dated 9th October, 2013 (and a reminder on 20th October 2013), we sought a more specific clarification from OIL on whether the construction/ pipeline laying that they had confirmed had already taken place, in their note of 4th September, 2013, was in violation of the Supreme Court's 2006 order. (Annexure 5)
- 2.8. In their email response, dated 22nd October, 2013, OIL reiterated that they had not acted in violation of the Supreme Court's order, and stressed (in Paras 7 and 8 of their response) that they had carried out these constructions only *after* the initial recommendation of the NBWL in its 27th meeting. (Annexure 6)
- 2.9. However, this was at variance with what was indicated to us by the DCF, Tinsukia Wildlife Division. Further, in our meeting with them, local stakeholders too had claimed that OIL had carried out constructions/ pipeline laying *before* the proposal was even placed before the SC-NBWL. We had requested them to provide us documents substantiating their claim.
- 2.10. Accordingly, in their submission to us (Annexure 7), local stakeholders provided letter dated 18th February, 2010 (Annexure 8) written by the DCF, Tinsukia Wildlife Division, to the Deputy Commissioner, Tinsukia, stating that, "*a major portion of the pipeline from Baghjan to Makum has been constructed except a small stretch spanning about 1 km across the Dibru river and adjacent low-lying marshy area near Bebejia.*" This letter further stated, "*Therefore, it is obvious that OIL had gone ahead with implementation of Baghjan-Makum pipeline without obtaining mandatory environmental clearance...*" This letter also raises concerns on the unsatisfactory manner in which some of the pipeline laying was being implemented across some of the agricultural fields it intersects.
- 2.11. Based on the above, it would seem that OIL's application for an environment clearance followed this letter, and was therefore, already a *fait accompli*.
- 2.12. Therefore, based on information available to us, we must conclude, *prima facie*, that OIL did indeed carry out construction/ pipeline laying *much before* approaching the SC-NBWL, and perhaps, even before obtaining their environmental clearance, in January 2012. And when provided the opportunity to clarify, OIL averred that that these constructions had taken place *after* the initial SC-NBWL recommendation of 12/12/2012, a contention that, regrettably, appears incorrect and false.
3. The second issue of relevance to this project concerns the only stretch of the 45 km pipeline that has not yet been laid: that across the Maguri-Motapung wetland. We were concerned that the EIA for this project is very generic and does not consider the specific ecological values of the Maguri-Motapung Beel, a wetland of nearly 1,000 ha,

and the specific risks involved in aligning a crude oil and gas pipeline beneath this wetland, which is clearly very rich ecologically, and sustains the livelihoods of a very large number of people. From our site-visit, it was clear to us that any risk of leakage/spillage in this stretch could have far-reaching impacts. It is critical that any drilling that would be done across this stretch will need to employ significantly greater caution than elsewhere. In the presentation made to us the officials of OIL, we felt that adequate thought had been given to the risks and an appropriate technology with adequate safeguards was being considered.

4. We also noted that currently the oil is transported in trucks—and the immense truck traffic causes its share of disturbance and has environmental and conservation implications in this landscape.

II. Proposal for use of 304.15 ha of non-forest land for expansion of gas field development in Tengakhat-Naharkotia-Jorajan area, Tinsukia-Dhola area and Doom-Dooma-Pengeri area

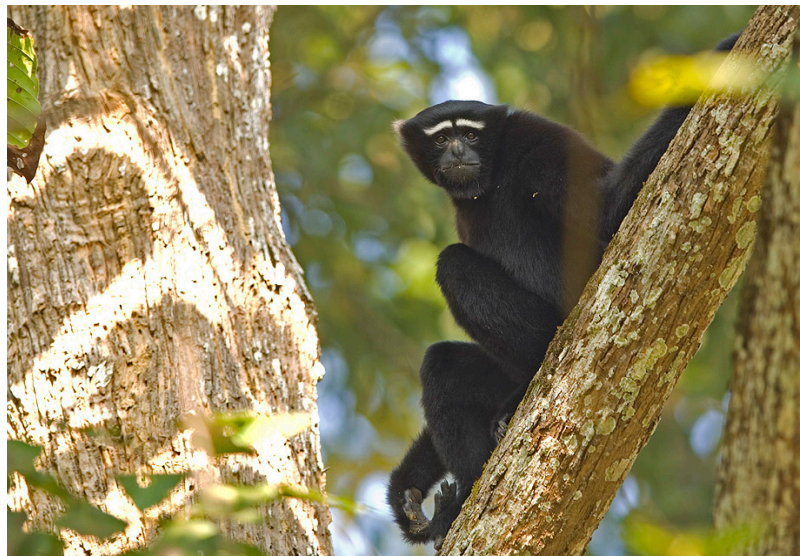
1. This project involves expansion of OIL's single integrated gas supply, production and distribution network in three oil areas: the Tengakhat-Naharkotia-Jorajan, Tinsukia-Dhola and Doom-Dooma-Pengeri.
2. The proposed expansion of gas pipelines are within the Supreme Court mandated 10 km Ecologically Sensitive Zone of Borajan-Bherjan-Podumoni WLS and Dehing-Patkai WLS. Besides these PAs, the pipelines pass, field gathering stations, gas compressor stations and off take points are located in close proximity to many important rainforest fragments such as Upper Dihing West Block RF, Telpani RF, Jokai RF and other adjoining forests, which are well-known for their wildlife values, especially their ability to support small but resilient complements of the region's very high richness of primates, that includes eight species, as well as seven cat species.
3. Given the sheer length of pipeline network in this gas field, we were unable to visit all areas, but visited some proposed new alignments around the Madhuban CGGS and OTP, where most existing and proposed pipelines converge. Also given that much of the proposed pipelines in the above-mentioned ESZ was along the alignments of existing pipelines, we were unable to physically verify if any work on proposed pipelines had already been carried out prior to the obtaining of NBWL permission.

DIBRU SAIKHOWA NATIONAL PARK (DSNP) & BIOSPHERE RESERVE

The Dibru-Saikhowa National Park and Biosphere Reserve meet at the confluence of the Brahmaputra with three of India's easternmost rivers—the Siang, Dibang and Lohit rivers. The park shaped by the these rivers is spread over 765 sq. km., of which 340 sq. km. form the core and is a complex of wetlands, alluvial grasslands, riverine forests, swamps and semi-evergreen forests, including the largest willow swamp forest in Northeast India.

Dibru-Saikhowa has recorded over 40 mammals, 500 species of birds, 104 fish species, 105 butterfly species and 680 types of plants. It harbours the tiger, elephant, wild buffalo, leopard, hoolock gibbon, capped langur, slow loris, Gangetic dolphin, besides critically endangered bird species such as the Bengal Florican, White Winged Duck, Greater

Adjutant stork, White rumped vulture, slender-billed vulture as well as the very rare and endemic Black-breasted parrotbill.



AMONG THE KEY SPECIES OF DIBRU SAIKHOWA NATIONAL PARK ARE THE BENGAL FLORICAN (TOP), HOOLOCK GIBBON (BOTTOM RIGHT) AND THE BLACK BREASTED PARROTBILL (BOTTOM LEFT). (Pictures courtesy of Dhritiman Mukherjee)

Conservation Challenges to Dibru Saikhowa

Dibru-Saikhowa suffers from a variety of threats and problems which are worth mentioning here. Important among them are...

Severe staff shortage: The sanctioned strength of the park is only 33 which in itself is insufficient for the park of this size and the challenges to securing it. Additionally, at any

given time, effective staff strength on the field is no more than 25. The staff are currently doing a commendable job not only under very difficult logistical conditions, but also at considerable risk to life and limb, considering this region is insurgency impacted. In fact, in 2011 two forest *chowkis*, Miripathar and Kolia, were attacked by suspected left wing extremists, and four guns were taken away.



STAFF PATROLLING THE DIBRU SAIKHOWA NATIONAL PARK. (Pic: Prerna Singh Bindra)

Insufficient and delayed funding: The funding provision for the park is abysmal, ranging from Rs. 30-80L per annum (which is largely a planned fund, and does not allow day-to-day expenses and meeting contingencies under it). Worse, the annual funding disbursement to the field is very delayed making crucial timely protection interventions difficult. In fact, when we visited the funds for this particular year had not yet reached. A particularly limiting impact of fund shortage is that there is simply no fuel to run patrolling boats—and the boats lie pretty much stationary after three-four months—making protection ineffectual. In fact, the park has just one speed boat for the entire area, and that for most part of the year lies unused, even during contingencies, for want of fuel.

Severe anthropogenic pressures: There are two villages, Laikha and Dadhia, inside the park spread over 50 sq km, with a population of 2,132 families (as per 2005 census) and a livestock population reported to be over one lakh, exerting tremendous pressure on the park. The status of these two villages is also an issue—while these villages were included

as forest villages when Dibru-Saikhowa was declared a Wildlife Sanctuary in 1986 but not when notified as a National Park in 1999. This serious historical oversight on the part of the Assam Forest Department today renders management efforts, including negotiations into the possibility of voluntary relocations, very challenging.

Other issues: Deforestation is also a serious concern as is illegal smuggling of timber, and poaching. Dhemaji District, to the northwest of the park, is considered to be a wildlife crime hub.

RECOMMENDATIONS TO STANDING COMMITTEE OF THE NBWL

I. Proposal for use of 114.267 ha of non-forest land falling within 10 km of Dibru-Saikhowa NP and Borajan-Bherjan-Podumoni WLS for laying crude oil pipeline by OIL

1. We are deeply distressed that OIL, as a leading public sector company, instead of serving as a beacon for environmental compliance to others in the industry, appears to have evaded environmental norms.
2. We strongly disapprove of the current trend of presenting the SC-NBWL with *fait accompli* situations and seeking *post-facto* clearances for projects on which work has already been undertaken without the requisite prior permissions. The expenditure thus incurred, in this case, from the public exchequer puts undue and unfair pressure on the SC-NBWL to ratify violations of wildlife and environmental norms. Imposing penalties against such violations, we feel, conveys a completely wrong message, signaling that violations are acceptable and can be condoned at a price. This seriously undermines regulatory processes and the rule of law intended to safeguard environment and conservation concerns, and strike a balance between environmental and economic/developmental concerns.
3. We therefore recommend that the SC-NBWL indicate its strong disapproval of this practice, and if necessary, under affidavit to the Supreme Court in the Goa Foundation case, seeking a further notice to states to ensure better compliance with the spirit of this order.
4. In the present case, we are also deeply mindful that considerable public investment has already been made into OIL's project of national importance, but in a manner that gravely undermines environmental concerns that are of equal national importance. We, therefore, strongly recommend that, rather than levy a one-time penalty for this violation, OIL be enlisted to provide financial and in-kind support on a rolling basis to the Assam Forest Department for a specific long term (say, for at least 10 years) plan to further conservation of Dibru-Saikhowa NP and Borajan-Bherjan-Podumoni WLS. This plan must be prepared by the DCF, Tinsukia Wildlife Division, in consultation with the State's Chief Wildlife Warden, as well as OIL, and reviewed periodically. Financial assistance, decided upon in consultation with the state forest department must be earmarked for protection purposes. Additionally, it is recommended that a scheme be worked out with OIL to make provision for fuel for the Dibru-Saikhowa NP, the details of which can be worked out between AFD and OIL. This plan may be placed before the

SC-NBWL, and only following this, may a formal permission be accorded to this project.

5. Further, we recommend that OIL provide a legal undertaking to the DCF, Tinsukia Wildlife Division, about their environmental safeguards and specify the nature and extent of their liability in case of accidents involving oil spillage / gas leakage into the Maguri-Motapung wetland. The DCF must share this undertaking widely with the public.
6. Finally, we recommend that any remaining pipeline laying for this project, including across the Maguri Motapung wetland, is to be carried out under the supervision of a committee to be constituted by the DC Tinsukia, with the DCF Tinsukia WL Division as its member secretary, and comprising two representatives of local citizens' groups and environmental NGOs, besides a representative of OIL.

II. Proposal for use of 304.15 ha of non-forest land for expansion of gas field development in Tengakhat-Naharkotia-Jorajan area, Tinsukia-Dhola area and Doom-Dooma-Pengeri area

1. Given that the alignment of most proposed new pipelines within the ESZ of Borajan-Bherjan-Podumoni WLS and Dehing-Patkai WLS is along the alignment of existing pipelines, they may be permitted so long as all necessary environmental safeguards (specified in the EIA) are implemented.
2. We recommend that OIL pay particular attention, especially in establishing pipelines and other facilities on the extreme east of the Tengakhat-Nahorkhatiya-Jorajan area and on the southwest of the Doom Dooma-Pengeri area that these structures do not obstruct movement of elephants. We recommend that in undertaking these constructions, they seek assistance of the Assam Forest Department and wildlife NGOs / conservationists / wildlife biologists who may be familiar with elephant movement patterns in the region.

III. Recommendations on strengthening conservation in DSNP

Dibru-Saikhowa is one of the PAs identified as a potential site for rhino relocation under the India Rhino Vision 2020, and to secure the park to realise this vision is crucial. Dibru Saikhowa is an important habitat for endangered species such as the Gangetic dolphin, tiger, elephant, wild buffaloes and the Bengal florican, among others, as well as the endemic Black-breasted Parrotbill, and it is imperative that we secure and protect this natural heritage, and ensure that Dibru Saikhowa and its wildlife is well cared for.

In support of this, we strongly recommend the following, mainly to the Assam FD:

1. We understand that the villages of Laikha and Dadhia are keen to move out of the park as they are living under extreme hardship currently with constant threats of flooding and human-wildlife conflict among others. After the huge flood of 2012, which devastated the villages, we understand that all families have expressed in writing, their willingness to move out of the park, following which the park officials have started the process of identifying land for relocation. However, the process is not going to be easy,

since such a relocation exercise will require considerable land, besides funds for the process itself. Revenue land to this extent is reportedly unavailable—and other options and avenues need to be explored, including allocation of degraded forest land, acquisition of defunct tea estates, etc., in accordance with existing laws. We strongly suggest that the Assam Forest Department and the Tinsukia District civil administration, in consultation with the villagers of Laikha and Dadhia, develop a relocation plan, and urge the state and central governments to provide all support possible to implement it.

2. The state must undertake to take a review of the current sanctioned strength, which is insufficient as well as provision of additional—and trained—staff. Provision for staff welfare in terms of basic facilities, such as provision of rations as well insurance, capacity-building is a must. While the exploration of possibilities and consent for voluntary resettlement is underway, additional staff strength can also be drawn from Laikha and Dadhia to contribute to local livelihoods there, and to secure their support and goodwill for conservation during the time they continue to reside within DSNP.
3. Release of funds for the park on a timely basis.
4. Improving protection infrastructure: There is dire need for more protection *chowkis* (currently there are just 10 for the park), and speed boats, and importantly the means to man, and run these effectively for protection.
5. Encouraging research: Research is a gap that is strongly felt, even by the management, and it is felt that this must be encouraged.

LIST OF ANNEXURES

- Annexure 1.* (a) Letter of Mr Bimal Gogoi and Mr Mridu Paban Phukan dated 12/02/2013 addressed to Chairperson, SC-NBWL and MEF & (b) Letter of Dambaru Chutia and others dated 9/03/2013 addressed to Chairperson, SC-NBWL
- Annexure 2.* Letter of Ms Prerna Bindra to MS, SC-NBWL dated 18/03/2013
- Annexure 3.* Email from MD Madhusudan to Mr C. Bose dated 02/09/2013 with queries for OIL
- Annexure 4.* Undated printed response from OIL to above email (Annexure 3) received in person from Mr C Bose on 04/09/2013
- Annexure 5.* Email from MD Madhusudan to Mr C. Bose dated 09/10/2013 with follow up queries for OIL, based on response in Annexure 4 above.
- Annexure 6.* Final responses of OIL to queries in Annexure 5 above.
- Annexure 7.* Email received from local stakeholders on 05/09/2013 as a follow up to the site inspection
- Annexure 8.* Letter dated 18/02/2010 from DCF, Tinsukia Wildlife Division to DC, Tinsukia reporting pipeline laying and construction in violation of environmental norms by OIL

To,

Date: 12.02.2013

Ms. Jayanthi Natarajan,

Minister of State for Environment and Forests (Independent Charge) &
Chairperson, Standing Committee of National Board for Wildlife,
Paryavaran Bhavan, CGO Complex
Lodhi Road, New Delhi -3.

Subject: **27th Meeting of Standing Committee of NBWL held on 12th Dec 2012.**
Ref: **Minutes of meeting available on website of MoEF**

Respected Madam,

We want to bring to your kind notice the following for your information and necessary action please

1. on 8th July, 2011 a Public Hearing took place at Baghjan Tea Estate Lower Primary School, Baghjan, Dist – Tinisukia, Assam for the following three new pipeline projects as proposed by Oil India Ltd, Duliajan, Assam –
 - **37 km long 400 mm diameter Gas Transmission Pipeline from Baghjan to Central Gas Gathering Station & Off Take Point (CGGS & OTP) near W/50 (Madhuban near Duliajan)**
 - **45 km long 200 mm diameter Crude Oil Pipeline from Baghjan to Secondary Tank Farm (STF) at Naoholia (near Duliajan) &**
 - **23 km long 100 mm diameter Crude Oil Pipeline from Baghjan to Makum Oil Collecting Station (OCS) at Makum**

The proposed route of all 3 (three) pipelines passes under Maguri-Motapung Beel (Wetland), which are part of the Important Bird Area (IBA) Dibru-Saikhowa Complex. The area borders the Dibru-Saikhowa National Park and is a part of the Dibru-Saikhowa Biosphere Reserve. It is important to note that the IBA Dibru-Saikhowa Complex has also been identified as a potential Ramsar Site by Bombay Natural History Society (BNHS) and meets the criteria to be declared a wetland of international importance. The local people of the region are also dependent on the Maguri-Motapung Beel (Wetland) and their immediately surrounding areas for their livelihoods, including fishing, agriculture and eco-tourism.

2. During the Public Hearing, there was strong public opposition from the local people about the fault EIA report and the route of the pipeline under or side of the Maguri-Motapung Beel (Wetland). It is important to note that the local people presented in the Public Hearing are not opposed to the transportation of OIL & Gas from Baghjan Area, but only the proposed alignment of the pipelines through this ecologically sensitive area.
3. The proposed project needed clearance from the Standing Committee of NBWL since the project starting point (Baghjan OCS) is within 2.5 km aerial distance of the Dibru-Saikhowa National Park, 6.4 km from Bherjan Wildlife Sanctuary and 9.8 km from Podumoni Wildlife Sanctuary. While Secondary Tank Farm (STF) (end point of 200 mm crude oil pipeline) is within 3.8 km aerial distance from Borajan Wildlife Sanctuary, Makum OCS (end point of 100 mm crude oil pipeline) is 7.5 km from

Bherjan Wild life Sanctuary, 6.6 km from Borajan Wildlife Sanctuary and 4.5 km from Dibru- Saikhowa National Park and W/50 (end point of 400 mm natural gas pipeline) is 2.6 km from Borajan Wildlife Sanctuary and 9 km from Bherjan Wildlife Sanctuary.

Madam, you were informed regarding the above for your information and appropriate action vide our earlier letter to you dated 9th March 2012 (copy enclosed).

Madam, verifying the minutes of 27th Meeting of Standing Committee of NBWL held on 12th Dec 2012, we are shocked to find that the above issues were not precisely discussed and verified in the 27th Meeting of Standing Committee of NBWL. We find in the minutes of meeting – That

- In the minutes of 27th Meeting of Standing Committee of NBWL stated as ***agenda 2.2.1(2). – proposal for use of 114.267 ha of non-forestland falling within 10 km from the boundary of Dibru-Saikhowa National Park and Borjan-Bherjan –Podumoni Wildlife Sanctuary for laying of crude oil pipeline etc by Oil India Ltd. Assam.*** So far, there is no public hearing or EIA Study was done on the above-mentioned subject by Oil India Ltd.
- It is not clear what are the projects for which discussion were made in the 27th Meeting of Standing Committee of NBWL. There were 3 (three) pipeline projects of different diameter and different length for which Public Hearing took place (8th July, 2011). These projects were not precisely mentioned in the minutes of meeting (Ref: Page-5) of 27th Meeting of Standing Committee of NBWL. Therefore, it is not clear whether all the above pipelines were taken for discussion or a single pipeline was discussed.
- If the proposed project discussed on the 27th Meeting of Standing Committee of NBWL and the proposed projects for which public hearing took place are the same, then it is important to note that - the proposed route of all 3 (three) pipelines passes under Maguri-Motapung Beel (Wetland), which are part of the Important Bird Area (IBA) Dibru-Saikhowa Complex. The area borders the Dibru-Saikhowa National Park and is a part of the Dibru-Saikhowa Biosphere Reserve. The local people of the region are also dependent on the Maguri-Motapung Beel (Wetland) and their immediately surrounding areas for their livelihoods. The issue raised in the Public Hearing about the threats from these pipelines on the Maguri-Motapung Beel (Wetland) & on Dibru-Saikhowa National Park. Oil India Ltd failed to explain on this issue in the Public Hearing.
- Even though Dr. Asad R Rahmani, an Hon'ble member of Standing Committee of NBWL raised an issue related to Amarapur Grassland only. However, for this pipeline project issue related to Maguri-Motapung Beel (Wetland) is more important than the Amarapur grassland.
- We are surprised to note that the representative of Oil India Ltd. was successful to convince the member of the Standing Committee about safety

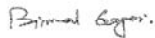
and environment issues but same Oil India Ltd. has failed to explain the above issues in the public hearing.

- After discussion the Standing Committee put some conditions as mentioned in the minutes of meeting – ***IOC shall put valve at the entry and exit points of the eco-sensitive zone of the Wildlife Sanctuary.....***
In a project proposed by Oil India Ltd.(OIL), how IOC (Indian Oil Corporation) could put valve?

Looking forward to your favourable action in this regard.

Thanking you,

Sincerely,



Bimal Gogoi
Chandmari Majar Ali
Golaghat, 785621
Assam



Mridu Paban Phukon
Milan Nagar, Naharkatia
Dist. Dibrugarh, 786610
Assam

Copy to – 1. Member Secretary Standing Committee of National Board for Wildlife,
2. Hon'ble Members, Standing Committee of National Board for Wildlife,

March 9, 2012

Ms. Jayanthi Natarajan,
Minister of State for Environment and Forests (Independent Charge) &
Chairperson, Standing Committee of National Board for Wildlife,
New Delhi.

Sub: Proposed Three Pipeline Projects in Tinsukia-Dhola Area of Oil India Ltd. Duliajan, Assam, India.

Dear Ms. Natarajan,

We write to you on behalf of concerned citizens of Tinsukia and Dibrugarh district of Assam. On August 8, 2011, a public hearing took place at Baghjan Tea Estate, Lower Primary School, in Tinsukia district of Assam for a proposal for three new pipelines by Oil India Ltd. The proposal involves –

- **37 km long gas 400mm diameter gas transmission pipeline from Baghjan to Central Gas Gathering Station & Off Take Point (CGGS&OTP) near W/50 (Madhuban near Duliajan),**
- **45 km long 200mm diameter crude oil pipeline from Baghjan to Secondary Tank Farm (STF) at Naoholia(near Duliajan) and**
- **23 km long 100mm diameter crude oil pipeline from Baghjan to Makum Oil collecting station (OCS.) in Assam by M/s Oil India Ltd. (OIL).**

The proposed route of all three pipelines passes under Maguri – Motapung (wetland) beel, which are part of the Important Bird Area (IBA) Dibru-Saikhowa Complex. The area borders the Dibru-Saikhowa National Park and is a part of the Dibru-Saikhowa Biosphere Reserve. It is important to note that the IBA Dibru-Saikhowa Complex has also been identified as a potential Ramsar site by the Bombay Natural History Society (BNHS) and meets the criteria to be declared a wetland of international importance. The local people of the region are also dependent on the Maguri-Motapung (wetland) beel and their immediately surrounding areas for their livelihoods, including fishing, agriculture and eco-tourism.


During the public hearing, there was strong opposition from the local people about the faulty EIA report and the route of the pipeline under the Maguri – Motapung (wetland) beel. **Please note that the people are not opposed to the transportation of oil and gas from Baghjan area, but only the current alignment of the pipeline through this ecologically sensitive area.**


The project would also require clearance from the Standing Committee of the National Board for Wildlife (NBWL) since the project starting point (**Baghjan OCS**) is within 2.5 km aerial distance of the Dibru-Saikhowa National Park, 6.4 km from Bherjan Wildlife Sanctuary and 9.8 km from Padumani Wildlife Sanctuary. While **Secondary Tank Farm (STF) (end point of 200 mm crude oil pipeline)** is within 3.8 km aerial distance from Borajan Wildlife Sanctuary, **Makum OCS (end point of 100 mm crude oil pipeline)** is 7.5 km from Bherjan Wildlife Sanctuary, 6.6 km from Borajan Wildlife Sanctuary and 4.5 km from Dibru-Saikhowa National Park and **W/50 (end point of 400mm natural gas pipeline)** is 2.6 km from Borajan wildlife Sanctuary and 9 km from Bherjan Wildlife Sanctuary. **We urge the MoEF and the NBWL Standing Committee to take up this issue proactively and ensure that the route of the pipeline is changed so as to not go through the ecologically sensitive Maguri-Motapung (wetland) beel area.**


Looking forward to your favourable action in this regard.


Thanking you,

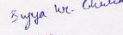
Sincerely,


Director
WECO
(Dambaru Chutia)
Director, WECO


জিনিজ্জ চুটিয়া
আবহাৰুপ সন্যাপক
পুৰনি মতাপুং কৰ্মাৰীৰ সন্থা
(Nikunja Chutti)
Acting President
Purani Motapung Karmabir Sangha,


শ্ৰী অৰ্জিৎ চৌতীয়া
সাধাৰণ সন্যাপক
পুৰনি মতাপুং কৰ্মাৰীৰ সন্থা
(Abhijit Chetia)
General Secretary
Purani Motapung Karmabir Sangha,


শ্ৰী সন্যাপক
পুৰনি মতাপুং কৰ্মাৰীৰ সন্থা
(Bitupon Chutia)
General Secretary
Purani Motapung AAMSU Branch



সন্যাপক
পুৰনি মতাপুং কৰ্মাৰীৰ সন্থা
(Sujya Kr. Chutia)
President
Purani Motapung AAMSU Branch

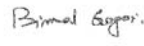

Kanak Chutia
President
Barekuri Anchalik Yuba Sangha
(Kanak Chutia, President)
Barekuri Anchalik Yuba Sangha

সন্যাপক
পুৰনি মতাপুং কৰ্মাৰীৰ সন্থা
(Jitendra Chutia, President)
Barekuri Branch Committee, AASU


Diplob Chetia
Secretary, WECO
Secretary, WECO

কলকতা জি.জি.সি.ৰ পুৰনি মতাপুং শাখাৰ
সাধাৰণ সন্যাপক
(Birbal Gohain, Secretary)
AJYCP, Makum Branch


Mridu Paban Phukon
Programme Co-ordinator
Wildlife Conservation And Study Centre
Naharkatia, Assam


Bimal Gogoi, Bhadoi Pachali, Assam

To,

Shri SS Garbyal,
Member Secretary, Standing Committee, National Board for Wildlife
ADG (Wildlife), Ministry of Environment & Forests.
Paryavaran Bhavan
CGO complex
New Delhi

18th March, 2013

Dear Shri Garbyal,

Certain matters have been brought to the notice of the members of the SC, NBWL, regarding the following proposal discussed in the 27th meeting of the SC, NBWL on December 12, 2013.

'Use of 114.267 ha of non-forestland falling within 10 kms from the boundary of Dibru-Saikhowa National Park and Borjan-Bherjan Padumani Wildlife Sanctuary for laying of crude oil pipeline etc by Oil India Ltd., Assam.'

There are reports in the media, one of which link is give here, <http://htsyndication.com/htsportal/article?arid=%221065004%22&pub=%22Assam+Tribune%22>), and also as per the letter dated 12.02.2013 by Bimal Gogoi Mridu and Paban Phukon, to the Hon'ble Chair, cc'd to the members, NBWL, from which it appears that:

1. 1) No EIA or public hearing or has been done of the above project
2. 2) It appears that public hearings were held for the following three pipeline projects:
 - Gas Transmission Pipeline from Baghjan to Central Gas Gathering Station & Off Take Point (CGGS & OTP) near W/50 (Madhuban near Duliajan)
 - Crude Oil Pipeline from Baghjan to Secondary Tank Farm (STF) at Naoholia (near Duliajan) &
 - Crude Oil Pipeline from Baghjan to Makum Oil Collecting Station (OCS) at Makum

The proposed route of the three pipelines is under Maguri-Motapung Beel (Wetland), which are part of the Important Bird Area (IBA) Dibru-Saikhowa Complex. The area borders the Dibru-Saikhowa National Park.

As far as one recalls, the fact of three pipelines was not discussed.

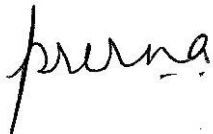
It is heartening to note that these facts have been brought to our notice by concerned members of the public. There is strong local opposition in the public hearing of the pipelines cited above as, as is evident by the minutes of the public hearing. It is indeed very encouraging to see such public support to wildlife conservation. Significantly, the people are not opposed to the transportation of oil and gas from Baghjan area, but only to the current alignment of the pipeline through this ecologically sensitive area. It is important to note that the livelihoods of local people are dependent on these wetlands.

I have also attached the letter to the Hon'ble Chair by concerned citizens for your kind consideration.

In view of the above-and the confusion, may I request that there be an urgent clarification be sought from the concerned state and agency on the above matter, to ensure that facts placed before the SC, NBWL were correct.

Looking forward to your kind consideration.

Best regards,

A handwritten signature in black ink, appearing to read 'Prerna'.

Prerna Singh Bindra
Member, Standing Committee, National Board for Wildlife

cc: Hon'ble Chairperson & MEF, Smt Jayanthi Natarajan

2. September 2013

Mr Chitrabhanu Bose
GM - Production Projects
Oil India Limited, Duliajan
Assam

Dear Mr Bose (cc: Ms Perna Bindra, ADG Forests (Wildlife), DIG Forests (Wildlife))

Thank you and your team for meeting us yesterday at the Circuit House at Tinsukia, to provide us details on the two proposed projects of OIL within the Supreme Court mandated ESZ of Dibru Saikhowa National Park and the Borajan-Bherjan-Podumani WLS complex.

In addition to the presentation made before us last evening, and clarifications we sought from you yesterday, I wanted to request you to provide us clarification on the following points as well.

1. Given that the proposed pipeline lies in a highly seismically active zone and intersects the greater Maguri beel ecosystem, we are also keen to know what disaster management plans you have in place to ensure that no spillage occurs into this area in the event of an earthquake, and accompanying structural damage to the buried pipeline.
2. What is the status of construction / pipeline laying on both proposed projects? More specifically, has any construction/pipeline laying been carried out on the Baghjan-Madhuban pipeline project already? We noticed stretches where we were informed that the pipeline had already been laid, and local officials and people also confirmed that such construction had in fact taken place. Please provide us all relevant details in this regard.
3. Local people raised the concern that the SCADA system implemented may not be able to detect very small levels of oil removal / leakage (e.g, the example given was that there was a lot of small time undetected pilferage that does not appear to significantly reduce pressure so as to exceed the threshold values you may employ in the SCADA to activate alarms). More specifically, what is the threshold "hole size" in the pipeline that the SCADA you propose to deploy will "detect". Please tell us how you are proposing to address these concerns.
4. Concern was also raised about the current methods of disposal of water that comes along with the crude in your oil wells. Please tell us how that is dealt with.

An early response would be greatly appreciated!

With many thanks and warm regards

Madhusudhan

**Questions and Answers raised during the discussion held on 01/09/2013
at Circuit House, Tinsukia**

1. Question: Given that the proposed pipeline lies in a highly seismically active zone and intersects the greater Maguri beel ecosystem, we are also keen to know what disaster management plans you have in place to ensure that no spillage occurs into this area in the event of an earthquake, and accompanying structural damage to the buried pipeline.

Ans: In the HDD portion the pipeline is buried at a minimum depth of 7.5 mtr from the river bed and it is not anchored to any structural blocks. Such pipe has got high flexure/tensile strength. In the event of earthquake of very high Richter scale, this pipe string can sway to a great extent along with the earth where it is embedded in both ways. We do not envisage any damage will occur to these pipelines in the event of earthquake of magnitude of zone -V area.

2. Question: What is the status of construction / pipeline laying on both proposed projects? More specifically, has any construction/pipeline laying been carried out on the Baghjan-Madhuban pipeline project already? We noticed stretches where we were informed that the pipeline had already been laid, and local officials and people also confirmed that such construction had in fact taken place. Please provide us all relevant details in this regard.

Ans : The Baghjan-Madhuban pipeline project comprising of 2 pipelines 200 MM (crude oil) and 400 MM (natural gas) are in same ROW and out of 37 km already 27 km has been laid in normal terrain in different stretches.

3. Question: Local people raised the concern that the SCADA system implemented may not be able to detect very small levels of oil removal / leakage (e.g. the example given was that there was a lot of small time undetected pilferage that does not appear to significantly reduce pressure so as to exceed the threshold values you may employ in the SCADA to activate alarms). More specifically, what is the threshold "hole size" in the pipeline that the SCADA you propose to deploy will "detect". Please tell us how you are proposing to address these concerns.

Ans: OIL's existing supervisory Data Acquisition System (SCADA) is covering gas network for collection and distribution of gas. Expansion project of this SCADA system to cover all the oil pipelines and oil producing installations in and around Duliajan are in progress. But OIL's trunk pipeline supplying crude oil to the 4 refineries has a SCADA system since 1964. In fact we are pioneer

bringing such system in Asia. From our experience of operation of this pipeline, we know that a leakage of 4% of the throughput is detectable by SCADA system. With modern automatic leak detection system it can be detected as low as upto 2%. Size of the hole for the threshold limit will depend on the throughput and pressure at that point.

Any leakage of even small quantity in a pipeline which is cathodically protected, there will be substantial drop of impressed current and this is an indirect indication of leakage. Besides above, through district administration VDP (Village Defence Party) are already in place for reporting such incidents promptly.

4. Question: Concern was also raised about the current methods of disposal of water that comes along with the crude in your oil wells. Please tell us how that is dealt with.

Ans: The associated water produced along with crude oil is separated in OCS and the same is re-injected back into reservoir at a depth below 1000 mtr as per the norms. However, we are in the process of installing ETP (Effluent Treatment Plant) of magnitude of 5000 KLPD for processing and same will be disposed to the reservoir for maintenance.

9. October. 2013

Mr Chitrabhanu Bose
GM - Production Projects
Oil India Limited, Duliajan
Assam

Dear Mr Bose (cc: Ms Prerna Bindra, ADG Forests (Wildlife), DIG Forests (Wildlife))

This email is to follow up on the clarifications (see attachment) which you handed over to me in person during the 30th meeting of the Standing Committee of the NBWL on 4th September 2013 at the MoEF in New Delhi.

You may recall that I had, at that point, requested you orally to provide some additional clarification to us on Point No. 2, wherein you have stated in connection with the Baghjan-Madhuban pipeline that, "out of 37 km already 27 km has been laid in normal terrain in different stretches". As I am sure you are aware, the Supreme Court, in the Goa Foundation order of December 2006 has required projects needing environmental clearances and located within 10 km of a national park or wildlife sanctuary to also obtain clearance from the Standing Committee of the NBWL before any work is taken up. Therefore, we would be grateful if you could clarify to us if OIL has acted in violation of the SC order when you say (and we have ourselves seen) that 27 km of pipelines for this project have already been laid, most of which, I understand falls within the 10 km zone of Dibru Saikhowa NP, as well as Podumoni-Bherjan-Borajan Wildlife Sanctuary, even before the Standing Committee of the NBWL has granted clearance to your proposal.

Your early response would help us expedite our site inspection report.
Looking forward to your cooperation.

With warm wishes

Madhu

M D Madhusudan

Nature Conservation Foundation
www.conservation.in

M D Madhusudan
Nature Conservation Foundation

Dear Dr Madhu,

This is in reference to your e-mail dated 20th October, 2013.

- 1.0 We applied for Environmental Clearances vide letter nos. PDN:O2/10/1.00-15 dated 20th March, 2010, PDN:O2/10/1.00-81 dated 1st February, 2010 and PDN:O2/10/1.00-534 dated 10th September, 2011 for the following projects:
 - I) Oil Collecting Station, Baghjan
 - II) Oil Collecting Station, Barekuri
 - III) Baghjan-Secondary Tank Farm Crude Oil Pipeline (length 45 km)
 - IV) Baghjan-CGGS & OTP near W/50 Gas Pipeline (length 37 km)
 - V) Baghjan-Makum OCS Crude Oil Pipeline (length 23 km)
 - VI) Secondary Tank Farm (STF).
 - VII) Bowser Unloading Station at Makum.
- 2.0 Environmental Clearances for the above mentioned projects were obtained vide letter nos. J-11011/463/2008 – IA II (I) dated 12.01.2011, J-11011/413/2008 – IA II (I) dated 24.01.2011 and J-11011/463/2008 – IA II (I) dated 16.01.2012.
- 3.0 With reference to the specific conditions mentioned in the ECs received by us, the initial application for NBWL clearance was put up to DFO, Tinsukia vide letter dated 27.10.2011 which was forwarded by the DFO, Tinsukia to Principal Chief Conservator of Forest , Wildlife, Govt of Assam with comments and recommendations on 05.12.2011.
- 4.0 The matter was put up and cleared in the State Board of Wild Life on 18.04.2012. The same was then forwarded from Govt of Assam to National Board of Wild life for final clearance on 24.05.2012. The NBWL clearance was received for the all the above mentioned projects were received on 12.12.12.
- 5.0 In this regard, you will appreciate that no physical construction was made in the major projects viz. construction of Barekuri OCS, construction of Baghjan OCS, Makum Browser Unloading Station and awaited till NBWL clearance. Rather the contractual formalities for creating the above infrastructures were initiated after the projects were cleared by NBWL.

6.0 Regarding 200 MM (8") Crude Oil Delivery pipeline and 400 MM (16") Gas distribution pipeline, we obtained Environmental Clearance (EC) after complying with necessary formalities on 16.01.2012. The 37 KM length of the pipeline is divided into four sections viz.

Section A- linear length 6.3 KM

Section B- linear length 10.6KM

Section C- linear length 10.6KM

Section D- linear length 9.5 KM

7.0 Out of these 4 Segments, Section – A is considered as the most crucial section as it is in logistically difficult area and falls within a range of 10 KM from the Dibru – Saikhowa National Park. The work for this section commenced in July, 2013 i.e. only after obtaining NBWL clearance on 12.12.12 i.e. after a gap of 8 months.

8.0 The remaining sections viz. B, C & D fall mostly in Tea Garden and paddy field areas. The laying of these lines was planned once the State Board has recommended the proposal to NBWL in last week of May 2012. Accordingly, the laying of lines was carried out in the next dry spell to avoid the harvesting season so as to facilitate the village farmers and the Tea Garden authorities for timely cultivation and plucking of tea leaves respectively.

9.0 Though we have procured the land for our Right Of Way (ROW) of the pipelines, the pipeline activities were planned not to disturb the cultivation in those areas where the people were solely dependent on the rice cultivation from the fields. As a part of our commitment, the entire activity was planned so that the ROW can be used for cultivation as well as growing of tea bushes once the pipeline laying is done.

10.0 It is pertinent to mention here that though these lines were laid in some select segments to facilitate cultivation in the season, these are neither connected nor hydro-tested / charged with any fluid till the final NBWL clearance was obtained. Though we have obtained all clearances now, the commissioning activities will start once the entire pipeline sections are complete in all respect.

11.0 As a part of Assam Accord, OIL has to supply 6.0 MMSCMD natural gas, containing at least 7% C2+ components, which is the main feedstock to M/S Brahmaputra Cracker and Polymer Limited (BCPL) coming up at Lepetkata, Dibrugarh. In order to fulfill our commitment to M/S BCPL, the 400 MM (16") Gas distribution pipeline and 200 MM (8") Crude Oil Delivery pipeline are being laid from Baghjan area to Duliajan so that committed supply of feed stock can be done for BCPL in a time bound manner. BCPL being a Project of National Importance is being monitored by Prime Minister's Office. The

Project (BCPL) is a fallout of Assam Accord and has sentimental attachment to the people of the State who are having high expectation of both direct and indirect employment.

- 12.0 You would appreciate that Oil India Limited being a pioneer PSU having more than 6 decades of E&P experience is committed for conservation of environment in and around the operational areas. We have followed the path of sustainable development throughout our entire journey for symbiotic existence and growth of Industry along with its neighboring community and environment at large.
- 13.0 We have noted your recommendations and we ensure that we will keep our commitment for the environment in all our future project construction jobs also. No deviations from EC & NBWL conditions will be allowed in all our projects.
- 14.0 Hope the above clarifies your doubt on the issue.

C Bose
General Manager (Production Project)

To,

Dated: 05.09.2013

Ms Prerna Bindra & Dr. M D Madhusudan
Member of Standing Committee of National Board for Wildlife
MoEF, Govt of India
New Delhi.

Sub: Your visit to DNSP and the discussion on 1st Sept. 2013

Ref: Minutes of 28th meeting of SC of NBWL held on 20/03/2013

Dear Ms.Bindra & Dr. Madhusudan

With reference to the discussion held with you on 1st Sept, 2013 at the Circuit House, Tinsukia, Assam we would like to submit a written submission in addition to our earlier submission dated 12/03/2013.

In the discussion you have come to Tinsukia/Dibrugarh District for the 2 (two) pipeline projects as proposed by Oil India Ltd.

- 1) 3 (three) pipeline project in Tinsukia - Dhola area of OIL.
- 2) Tengakhata-Nahorkatiya-Jorajan, Tinsukia-Dhola & Dumduma-Pengri
Integrated Gas Field Development Project.

Part A: 3 (three) pipeline project in Tinsukia - Dhola area of OIL.

- 1) OIL has already laid the pipelines. (Source Minutes of 27th meeting of SC of NBWL held on 12/12/2012. ***“The representative of OIL indicated that the pipeline is being laid underground and he also assured the committee...”*** and the letter No. B-TWL/G-66/2010/280 dated 18.02.2010 written by DFO Tinsukia Wildlife Division to Deputy Commissioner, Tinsukia). It is not clear how without Environmental Clearance they have laid the pipelines. Is not it a clear violation done by OIL?
- 2) OIL tried to lay these 3 (three) pipelines without doing any EIA or public consultation. Source (letter No. TPL.114/2009 dated 2nd Oct.2009) written by the DC Tinsukia to OIL authority). The DFO Wildlife, Tinsukia asked Deputy Commissioner, Tinsukia about the irregularities by OIL regarding the pipelines vide his letter no. B-TWL/G-66/2010/280 dated 18.02.2010 and

B-TWL/G-66/2010/356 dated **25.02.2010** and informed the concerned authority.

- 3) Of the 3 (three) pipelines as stated in the EIA Report the 100 mm or 4" crude pipeline is a temporary one it would be removed after the 200 mm or 8" pipeline is ready (***please refer letter Ref. No. ADMN/12 (B)-168 dated 19.02.2010 written by Resident Chief Executive OIL to DC, Tinsukia***) which was not mentioned in the EIA Report. Also it is clear from their letter that laying this pipeline Oil India Ltd. would not use HDD method.
- 4) From the EIA Report it is understood that only 400 mm diameter gas transmission pipeline from Baghjan to CGGS & OTP near W/50, would be crossed using HDD. OIL have not cited any example to the public at the Public Hearing and have not answered why only one portion is selected for HDD? (Please refer the ***EIA report for 3 (three) pipeline project in Tinsukia - Dhola area of OIL, chapter 3, Project Description, 3.4 to 3.6***)
- 5) The quality of OIL's work is well explained by former DFO Tinsukia Wildlife Division vide letter no. **B-TWL/G-66/2010/280** dated **18.02.2010**.
- 6) OIL mentioned about 'SCADA' in their EIA Report which was also OIL's representative explained in 27th SC meeting of NBWL. For your information please note: this 'SCADA' system is not 100% proof. Since it detects leakage / hole in the pipelines from a certain diameter of hole/leakage. Below that diameter it can not work or detect the leakage. This point was also raised in the Public Hearing and asked project proponent's comment in this regard.
- 7) Baghjan open Flare :
In Baghjan OCS/EPS, which is situated just 2.5 km from the boundary of Dibru-Saikhowa National Park, where OIL has been burning an open flare of their unwanted gases. When the Gas Pipeline will be ready they will produce more gas to meet the demand and the unwanted gas will be also high and the flare will get a new height. On the other hand MoEF forced the Numaligarh Refinery Ltd. (NRL) at Numaligarh, Assam in 1991, which is 22.7 km away from Kaziranga National Park, to establish an underground flare system instead of a regular flare system. Kaziranga National Park is situated in the west of NRL. This point is to be viewed carefully.
- 8) Maguri-Motapung wetland, Part of Lohit River and part Dibru Saikhowa National Park and Biosphere Reserve are in the down stream of these pipelines. If any leak occurs in these pipelines crude oil will be spread over

immediately in the whole area. Lohit River has one of the best habitats of Ganges River dolphins (*Platanista gangetica gangetica*). Any Oil Spill will bring threat to the species. EIA Report has no mention about the species? Why? It was asked by the public at Public Hearing.

- 9) The pipeline project passes through Barekuri Gram Panchayat, it housed Hoolock Gibbon Their no are reducing gradually after OIL starts works here. EIA has no place about these Hoolock Gibbons. (News clipping: 'Asomiya Pratidin' widely circulated vernacular daily).

Part B: Tengakhat-Nahorkatiya-Jorajan, Tinsukia-Dhola & Dumduma-Pengri

Integrated Gas Field Development Project

- 1) Both the projects area were falling in Dehing-Patkai Elephant Reserve (Notification No.FRW.44/2002/67, dated 17th April, 2003), but both the EIA are silent about elephant and the corridors in the whole area.
- 2) This Gas Field Project is within 10 KM of the boundary of Dihing Patkai Wildlife Sanctuary, which is among the last remaining lowland rain forests in Brahmaputra Valley. The forest is dominated by tall Dipterocarps, especially Hoolong (*Dipterocarpus macrocarpus*), which grow up to 50 m. The other important tree species are Mekai(*Shorea assamica*), Nahar(*Mesua ferrea*), Hollock(*Terminalia myriocarpa*), Cham (*Artocarpus chaplasha*), Morsal (*Vatica lanceaefolia*)(Critically Endangered), Outenga(*Dillenia indica*), Kadam(*Anthocephalus cadamba*), Simalu(*Bombax ceiba*) and *Ficus* spp. So far, 107 species of orchids have been recorded from this forest. Out of these 85 spp. are epiphytic and 21spp. are terrestrial and one species is saprophytic. 46 species of mammals, including 19 species of carnivore. Seven species of Primates (Western Hoolock Gibbon, Capped Langur, Slow Loris, Rhesus Macaque, Assamese Macaque, Pigtailed Macaque and Stump-tailed Macaque). Seven species of cats (Tiger, Leopard, Clouded Leopard, Asiatic Golden Cat, Marbled Cat, Leopard Cat and Jungle Cat) residing within its boundaries. The area is also an Important Bird Area (IBA), recognized by BNHS and Birdlife International for its birddiversity. More than 380 species of bird have been recorded so far from Dehing- Patkai Wildlife Sanctuary. The area has five species of hornbills and is home to several species of rare wren babblers, laughingthrushes, fulvettas, shrike babblers, scimitar

babblers and warblers. Birds include threatened species such as the Whitewinged Duck *Cairina scutulata*, White-bellied Heron *Ardea insignis*, Beautiful Nuthatch *Sitta Formosa*, Rufous-necked Hornbill *Aceros nipalensis*, and Purple Wood Pigeon *Columba punicea*. So far, 277 species of butterflies have been recorded from this area. EIA report is silent on that.

- 3) Though the executive summary stated that No Endangered species are recorded in the study area as per IUCN. As per records of Dept. of Environment and Forests, Govt. of Assam, the following endangered species of birds and mammals are found in the area are White-rumped Vulture (*Gyps bengalensis*)CR, Slender-billed Vulture (*Gyps tenuirostris*)CR White-winged Duck (*Cairina scutulata*)En(one of the largest known concentration in the world is in this sanctuary), Rufous-necked Hornbill (*Aceros nipalensis*)EN, Beautiful Nuthatch (*Sitta Formosa*)EN, Tiger *Panthera tigris*,En/Sch.I, Asian Elephant *Elephas maximus*,En/Sch.I, Western Hoolock Gibbon *Hoolock hoolock*,En/Sch.I, Capped Langur *Trachypithecus pileatus*, En/Sch.I, Asiatic Brush-tailed Porcupine *Atherurus macrourus*,En/Sch.II
- 4) Western Hoolock Gibbon's (*Hoolock hoolock*) population is under pressure from habitat fragmentation due to the Oil installation in this area.
- 5) In Charaipung (near Jorajan OCS), one of the starting point of the Gas Field Project (proposed Jorajan FGS), which is adjacent to the Dihing Patkai Wild life Sanctuary, there is an explosive store house which housed normal explosive as well as Radio Active element , which are used by OIL in their oil field activity. The EIA has no mention about the Explosive Store. It is also not known whether the store is complied with the EIA Notification 2006 or not?
- 6) As per *Tengakhat-Nahorkatiya-Jorajan, Tinsukia-Dhola & Dumduma-Pengri Integrated Gas Field Development Project* EIA Report, this region (Tinsukia and Dibrugarh) District is under high seismic zone – Zone-V (**refer EIA Report Chapter III Baseline Environment, pg no. 58-60**). In the public hearing question was raised whether these pipelines are seismic proof or earthquake proof? And if yes, what is the maximum intensity of earthquake these pipelines could resist? Oil India Ltd and the agency that did the EIA, is silent in this regard. You should look into this point carefully.
- 7) The quality of the EIA study can be easily assessed from **“To know the present environmental condition of the study area, field studies have been**

conducted for 5(five) weeks to determine existing conditions....”Page no.ii of executive summary of Integrated Gas Field Development Project. ***“Field studies have been conducted for three months from 1st October 2009 to 31st December 2009 to determine existing conditions of various environmental attributes”*** Page no. 3 of the main EIA.

- 8) Effluent Treatment Plant: Though in EIA report mention about ETP, at present OIL have no ETP in any of their installation. For Example OIL Township Duliajan, Assam.

Finally for your information, on 3rd Sept, 2013 night the Director, WECO Mr Domboru Chutia whom you met on 1st Sept, 2013 at Circuit House Tinsukia, was threatened at his home by some miscreants and warned him not to oppose the existing pipeline project and the news was appeared on 5th Sept, 2013 which carries OIL's hand behind the incident.

We submit the above points as you asked on 1st Sept, 2013 for your necessary action. Further, if any clarification needed please contact.

Thanking you

With warm regards

Yours Sincerely

Mridu Paban Phukon

Bimal Gogoi

Enclosure : As mentioned above

GOVERNMENT OF ASSAM
ENVIRONMENT AND FOREST DEPARTMENT
OFFICE OF THE DIVISIONAL FOREST OFFICER
TINSUKIA WILD LIFE DIVISION: TINSUKIA

No. B -TWL/G-66/2010/280

DATE. 18/02/2010

To,
The District Magistrate
& Deputy Commissioner
Tinsukia

Sub: Site visit of co-ordination committee constituted to resolve disputes regarding alignment of proposed Baghjan - Makum pipeline for transportation of crude oil & gas.

Ref: - Decision adopted in the meeting of stakeholders in the Conference hall of Deputy Commissioner's office on 15/2/10.

Sir,

With reference to the subject cited above, this is to inform you that in pursuance of decision adopted in the meeting of stakeholders held in Conference hall of Deputy Commissioner's office on 15/2/10, a co-ordination committee comprising of officials from Oil India Limited (OIL), representative from Pollution Control Board of Assam (PCBA) based at Dibrugarh, representatives of Wildlife, Environment & Conservation Organization (WECO), Barekuri (NGO) and myself visited the planned as well as alternative site near Doom dooma for laying Baghjan-Makum pipeline on 17/2/10. The details of officials/ persons in the committee are mentioned in the annexure.

It emerged from discussion with OIL officials that major portion of work on pipeline from Baghjan to Makum has been constructed except a small stretch spanning about 1Km across Dibru river and adjacent low lying marshy area near Bebejia. During site inspection, trenches dug by contractors for further extension of the pipeline across agricultural land on the southern side were found to be 45 - 60 cm deep. A crowd from the nearby locality had gathered at the site during inspection and their opinion on construction of the pipeline was divided. The pipeline was also sunk in the depression area across the wetland upto depth of 30 cm and exposed on the river bed.

o/c
Thereafter, the committee visited the alternative site proposed by representatives of WECO situated on the southern side of bridge near Doom dooma town. The proposed site has relatively higher elevation with a much shorter span across the river but requires alignment of pipeline to be shifted by about 10 Km from original position with resultant escalation in project cost.

The officials of OIL then proposed to go ahead with the works at the present site near Bebejia with additional mitigation measures to minimize possibility of contamination of wetland near Bebejia and consequential spill over effect in the ecologically sensitive natural system arising out of sabotage by miscreants. The planned measure includes a casing for the 10 cm pipeline, installation of isolation valves at both end of wetland to regulate flow in emergency situation, construction of two watch towers at both end for round the clock surveillance, posting of security guards with

power to open fire to prevent pilferage, subject to approval by competent authority. Besides, feasibility of construction of iron footbridge along the pipeline is also under consideration.

The OIL officials also assured that the pipeline would be dug across the wetland upto minimum prescribed depth of 1.5 mt under strict supervision of a monitoring committee comprising of stakeholders in the project. The OIL had also agreed to provide support for specific project based environmental conservation initiatives of WECO in future. However, representatives of WECO had sought two days time to come up with a response. The OIL officials indicated that the 10 cm pipeline is precursor to two bigger pipelines of 20 cm & 40 cm diameter for transportation of crude oil and natural gas to Duliajan that will render the original pipeline redundant. The smallest pipeline is likely to become superfluous by December 2012 with commissioning of Brahmaputra Cracker and Polymer Limited at Lepetkata.

In retrospect, the parleys inclusive of the present initiative that were held at different points of time to resolve the conflict between OIL and environmental activists on the proposed Baghjan-Makum are futile in light of the Environmental Impact Assessment Notification No S.O. 1533 dt 14th September, 2006 issued by the Government of India, which imposes certain restrictions and prohibitions on new projects or activities, or on the expansion or modernization of existing projects or activities based on their potential environmental impacts as indicated in the Schedule to the notification, being undertaken in any part of India including territorial water, unless prior environmental clearance has been accorded in accordance with the objectives of National Environment Policy.

The Baghjan-Makum pipeline project ancillary to inland oil and gas exploration, development & production being located within 10 km from the boundary of Dibru-Saikhowa National Park notified under the Wild Life (Protection) Act, 1972, is within ambit of Category 'A' venture and therefore require prior environmental clearance from the Central Government in the Ministry of Environment and Forests. The mandate of implementing the provisions of the above-mentioned Notification is vested with the Pollution Control Board of Assam under provisions of the Environmental Protection Act, 1986 and significantly there had been no representation from the regulatory authority in previous meetings on the contentious issue up to 15/2/10. During the site visit yesterday, Sri HK Sharma, Asst Engineer informed that the PCBA, Dibrugarh do not have any document on Makum-Baghjan pipeline project executed by OIL authority.

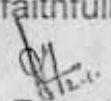
Therefore, it is obvious that OIL had gone ahead with implementation of Baghjan-Makum pipeline without obtaining mandatory environmental clearance as provided in the EIA notification since there was no public consultation on the issue. Consequently, there is also a misguided notion among section of local villagers that the Baghjan - Makum pipeline project had been implemented with approval from this office, while in reality neither the project area is within its administrative jurisdiction and nor any assigned role in the environmental clearance process.

Since there are several of development project of OIL and other Public Sector Units located within 10 Km of Protected Areas in Tinsukia district i.e. Dibru-Saikhowa NP, Bherjan-Borajan-Padumoni WLS and Dehing-Patkai WLS notified under Wildlife Protection Act, 1972 the Environmental Impact Assessment Report - if any - relevant to each venture may kindly be evaluated on a case by case basis to ascertain whether the stipulated EIA norms were complied with by the user agency for effective implementation of Environmental Protection Act, 1986.

A hard copy of the Environmental Impact Assessment Notification No S.O. 1533 dt 14th September, 2006 issued by the Government of India, downloaded from the official website of Pollution Control Board, Assam is enclosed for favour of your ready reference and needful.

Enclosed: As stated above (42 pages)


Yours faithfully


Divisional Forest Officer
Tinsukia Wildlife Division
Tinsukia

Memo No.A-TWL/G-66/2010/50

DATE. 18/02/2010

Copy to the Principal Chief Conservator of Forests, Wildlife, Assam, Basistha Guwahati-29 for favour of information and needful.


Divisional Forest Officer
Tinsukia Wildlife Division
Tinsukia