

**BEFORE THE NATIONAL GREEN TRIBUNAL
PRINCIPAL BENCH, NEW DELHI
(BY HYBRID MODE)**

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

Bonani Kakkar		Applicant
	Versus	
Oil India Limited & Ors.		Respondent(s)
Niranta Gohain & Anr.	-----	Applicant in MAs

Date of hearing: 08.08.2023

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

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

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

ORDER

1. An incident of oil blowout, happened on 27.05.2020 from the oil well belonging to the Oil India Limited (OIL).

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

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

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

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

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

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

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

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

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

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

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

11. Accordingly, the applications stand disposed of.

Sheo Kumar Singh, CP

Arun Kumar Tyagi, JM

Dr. A. Senthil Vel, EM

August 08, 2023

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