



सत्यमेव जयते

भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
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BY SPEED POST

F.No.4-GOC1238/2020-BAN/
Dated the 9th September, 2021

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To

The Principal Secretary (Forests),
Government of Goa,
Secretariat Annexe, Secretariat,
Porvorim, Goa -403 521.

Subject: Diversion of 32.085 ha of Forest land for widening of four laning of existing Goa/Karnataka Border (Anmod to Mollem Section) NH-4A from km 84.133 to km 97.000 in the State of Goa in North & Wildlife & Eco-Tourism (North) Goa Division in favour of Executive Engineer, Public Work Department, WD-XV(NH), Ponda, Goa. -reg.

Sir,

I am directed to refer to the State Government's letter No. 6-862-2020-21-FD/36 dated 20.04.2020, letter No.6-863-2020-21-FD/5319 dated 03/02/2021 and letter No.6-868-2021-22-FD/1850 dated 29.07.2021 seeking prior approval of the Central Government under Section'2' of the Forest (Conservation) Act, 1980 for the above project.

After careful examination of the proposal of the State Government, **in-principle approval /Stage-I clearance** of the Central Government is hereby granted for diversion 32.085 ha (31.015 ha in Wildlife North Division and 1.07 ha in North Goa Division) of forest land for widening of four laning of existing Goa/Karnataka Border (Anmod to Mollem Section) NH-4A from km 84.133 to km 97.000 in the State of Goa in North & Wildlife & Eco-Tourism (North) Goa Division in favour of Executive Engineer, Public Work Department, WD-XV(NH), Ponda, Goa, subject to the following conditions:-

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

1. The User Agency shall transfer online, the Net Present Value (NPV) of the forest land being diverted under this proposal, as per the orders of the Hon'ble Supreme Court of India dated 28.03.2008, 24.04.2008 and 09.05.2008 in Writ Petition (Civil) No.202/1995 and the guidelines issued by this Ministry vide its letter No. 5-3/2007-FC dated 05.02. 2009. The requisite funds shall be transferred through online portal into CAMPA account of the State Concerned.
2. The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation over double the extent of degraded forest land in the State of Karnataka at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal.

The scheme shall include demarcation of CA area using appropriate fencing, tall plants for better survival, provision for watering and SMC works and appropriate provision to be provided for anticipated cost escalation for the works scheduled for subsequent years.

3. The User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of trees shall be deposited by the User Agency with the State Forest Department.
 4. All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal (<https://parivesh.nic.in/>). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance.
 5. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
 6. The User Agency shall incorporate the modifications suggested by the Central Empowered Committee (CEC) in the proposal and also confirm in writing through State Government that no additional area would be required for the same.
 7. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, distance from pillar to pillar and GPS co-ordinates.
 8. The KML file of the area diverted and CA area shall be uploaded on the e-green watch portal with all requisite details and same shall be submitted along with compliance report.
 9. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2017-FC dated 28.03.2019.
- B: Conditions which need to be strictly complied on field after handing over of forest land to the user agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:**
1. Legal status of the diverted forest land shall remain unchanged.
 2. The State of Goa shall ensure successful raising of Compensatory Afforestation in double the extent of degraded forest land in the State of Karnataka and its maintenance. The State Government shall submit a compliance of raising Compensatory Afforestation within two years of the sanction of the project.
 3. At the time of payment of the Net Present Value (NPV) at the then prevailing rate, the User Agency shall furnish an undertaking to pay the additional amount of NPV, if

so determined, as per the final decision of the Hon'ble Supreme Court of India.

4. The User Agency will comply with all the conditions/mitigation measures imposed by Chief Wildlife Warden and NBWL in respect of the portion of the road passing through Bhagwan Mahavir Wildlife Sanctuary and National Park.
5. All statutory clearances including Environment Clearance, if applicable shall be obtained before commencing the work in forest area.
6. Tree felling shall be restricted to the barest minimum possible and under confirmation from the local forest officials.
7. Suitable soil moisture conservation works needs to be taken up on either side of the road, wherever vulnerable.
8. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less.
9. No labour camp shall be established on the forest land.
10. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
11. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
12. No damage to the flora and fauna of the adjoining area shall be caused.
13. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
14. The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.
15. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government and Integrated Regional Office, Bangalore by the end of March every year.
16. The user agency shall comply with all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

After receipt of compliance report on fulfillment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. The User Agency shall take up the work as per the Guidelines in force and after ensuring that all necessary clearances for the entire stretch are in place. Working permission, if any issued, shall be intimated to IRO, Bengaluru. Transfer of forest

land shall not be effected till final approval is granted by the Central Government in this regard.

Further, it may also be noted that this in-principle approval shall be valid for a period of 5 years from the date of issue of this letter. In the event of non-compliance of the above conditions, this in-principle approval shall be revoked after 5 years.

Yours sincerely,



(B.N. Anjan Kumar)

Assistant Inspector General of Forests (Central)

Copy to:-

o/c

1. The Principal Chief Conservator of Forests (HoFF), Forest Department, Government of Goa, Panaji (GOA), PIN- 403001.
2. The Deputy Conservator of Forests (Monitoring & Evaluation)/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forest Department, Government of Goa, Panaji (GOA), PIN- 403001.
3. The Executive Engineer, Public Work Department, WD-XV(NH), Ponda, North Goa, Goa – 403 401.
4. Guard file.



(B.N. Anjan Kumar)

Assistant Inspector General of Forests (Central)

o/c

RMH
9/9/2021