



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-KRC 1305/2021-BAN/ 178
Dated the 4th May, 2022

To

The Additional Chief Secretary to Government of Karnataka,
Forest, Ecology & Environment Department,
M.S. Building, Dr. Ambedkar Veedhi,
Bangalore - 560 001.

Subject: Diversion of 5.156 ha. (revised from 4.371 ha.) of forest land in Devihal and seven other villages in Gadag and Haveri Districts for widening (Two Laning with paved shoulder) of Gadag to Honnali Road (from KM 105.500 to KM 205.290 of SH-57 and from KM 215.235 to KM 253.713 of SH 26) for total length of 138.02 km in favour of the Project Director, Project Implementation Unit, Karnataka State Highway Improvement Project (KSHIP), K.R.Circle, Bengaluru -reg.

Sir,

I am directed to refer to the State Government's letter No. FEE 50 FLL 2021 (e) dated 02/08/2021 and 08/04/2022 seeking prior approval of the Central Government under Section'2' of the Forest (Conservation) Act, 1980 for the above project.

The proposal was examined by the Regional Empowered Committee constituted under sub-rule (1) of rule 4A of the Forest (Conservation) Rules, 2003 in its meeting held on 29/04/2022.

After careful examination of the proposal of the State Government and on the basis of the recommendation of the Regional Empowered Committee, **in-principle approval /Stage-I clearance** of the Central Government is hereby granted for diversion of 5.156 ha. of forest land in Devihal and seven other villages in Gadag and Haveri Districts for widening (Two Laning with paved shoulder) of Gadag to Honnali Road (from KM 105.500 to KM 205.290 of SH-57 and from KM 215.235 to KM 253.713 of SH 26) for total length of 138.02 km in favour of the Project Director, Project Implementation Unit, Karnataka State Highway Improvement Project (KSHIP), K.R.Circle, Bengaluru, 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 guideline issued by Ministry vide letter No.5-3/2011-FC (Vol-I) dated 06/01/2022. The requisite funds shall be transferred through online portal into CAMPA account of the State Concerned.

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2. The identified non-forest land over an extent of 6.5355 ha., i.e. 4.0063 ha. in Sy.No. 125/3, Shanthagiri village, Rona Hobli and Taluk, Gadag District and 2.5292 ha. in Sy.No.1/1A, Baradi village, Haveri District for raising Compensatory Afforestation shall be transferred and mutated in the name of forest department and notified as RF/PF prior to Stage II approval.
 3. The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation over equivalent extent 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 may include demarcation of non forest land using chain link fencing with provision for watering and SMC works and appropriate provision for anticipated cost increase for works scheduled for subsequent years. The area identified for CA shall be planted with tall seedlings with provision for watering and SMC works to ensure faster growth.
 4. 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.
 5. 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.
 6. The KML file of the area diverted and area proposed for CA shall be uploaded on the e-green watch portal with all requisite details and same shall be submitted along with compliance report.
 7. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
 8. The State Government shall complete settlement of rights, in term of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in it's letter No. 11-9/1998-FC dated 3rd August 2009 read with 05.07.2013 with necessary enclosures, in support thereof.
 9. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer.
 10. 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. Compensatory Afforestation shall be raised over an equal extent of non-forest forest land within three years from the date of Stage –II Clearance and maintained thereafter by the State Forest Department at the cost of the User Agency and at least 1000 plants per hectare shall be planted over identified non-forest forest land. If it is not possible to plant so many saplings in the area identified for CA, the balance saplings will be planted in any other forests as per prescriptions of approved working plan with provision for ten years on subsequent maintenance.
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. All statutory clearances including Environment Clearance, if applicable shall be obtained before commencing the work in forest area.
5. Tree felling shall be restricted to the barest minimum possible and under confirmation from the local forest officials.
6. Suitable signages for speed regulation and animal safety will be erected along the road through forest areas.
7. The User Agency / concessionaire at their cost shall take up strip plantation on both sides and central verge of the road as per the IRC norms, wherever possible in consultation with State Forest Department as per the guidelines issued by Ministry vide letter No.FC-11/39/2020-FC dated 08/09/2021.
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. The total forest area utilized for the project shall not exceed 5.156 ha.
10. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
11. No labour camp shall be established on the forest land.
12. 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.
13. 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.
14. The forest land shall not be used for any other purpose other than that specified in the project proposal.
15. No damage to the flora and fauna of the adjoining area shall be caused.
16. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.

17. 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.
18. 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.
19. 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.
20. Any other condition that the Ministry of Environment, Forest and Climate Change may stipulate from time to time in the interest of conservation, protection and development of Forest and Wildlife.

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under Section-2 of the Forest (Conservation) Act, 1980. 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 faithfully,


(M.K.Shambhu)


Deputy Inspector General of Forests (Central)

Copy to:-

1. The Principal Chief Conservator of Forests (HoFF), Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
2. The Principal Chief Conservator of Forests (FC) /Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
3. The Project Director, Project Implementation Unit, Karnataka State Highway Improvement Project (KSHIP), K.R.Circle, Bengaluru -560 001.
4. Guard file.


(M.K.Shambhu)

Deputy Inspector General of Forests (Central)

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