



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)
National Highways Authority of India
(Ministry of Road Transport & Highways, Government of India)
परियोजना कार्यान्वयन इकाई - तुमकुरु
Project Implementation Unit - Tumakuru
श्री रक्षे, ८० फीट रोड, महालक्ष्मी नगर, बटावडी, तुमकुरु - ५७२ १०३
Sri Rakshe, 80 Ft Road, Mahalakshmi Nagar, Batawadi, Tumakuru- 572 103

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NHAI/PIU-TMK/12017/01/2019-20/1427

05.12.2019

To,
The Deputy Conservator of Forest,
Tumakuru Division
Tumakuru.

Sub: Diversion of 41.2081 Ha of forest land in Babiganahalli and 21 other villages in various Taluks and Districts (Gubbi and Tiptur Taluks of Tumkur District, Arasikere Taluk of Hassan District, Kadur and Tarikere Taluks of Chikkamagaluru District and Bhadravathi Taluk of Shivamogga District) for widening of existing 2 lane to 4 lane of National Highway (NH-206) from Tumkur to Shivamogga Section under NHDP (12+310 Km to 217+000 Km) in favour of the Project Director, National Highways Authority of India (NHAI), Project Implementation Unit, Tumkur - **Requesting for final (Stage - II) approval - reg.**

Ref: Ministry of Environment, Forests & Climate Change, Regional Office (Southern Zone), Bangalore letter No. 4-KRA1178/2019-BAN/1626 dated: 20.02.2019.

Sir,

Ministry of Environment, Forests & Climate Change, Regional Office (Southern Zone), Bangalore vide letter cited above, has accorded in - principle (stage - I) approval for diversion of 41.2081 Ha of forest land in Babiganahalli and 21 other villages in various Taluks and Districts (Gubbi and Tiptur Taluks of Tumkur District, Arasikere Taluk of Hassan District, Kadur and Tarikere Taluks of Chikkamagaluru District and Bhadravathi Taluk of Shivamogga District) for widening of existing 2 lane to 4 lane of National Highway (NH-206) from Tumkur to Shivamogga Section under NHDP (12+310 Km to 217+000 Km) in favour of the Project Director, National Highways Authority of India (NHAI), Project Implementation Unit, Tumkur, for a period of 20 years, subject to the conditions mentioned in said letter and requested for compliance report to the conditions for consideration of subject proposal for final (Stage - II) approval.

In this regard, the compliance report to the conditions given by MoEF in above letter is submitted as under:

Contd...

Sl. No	Conditions	Compliance
1	The legal status of forest land shall remain unchanged.	It is ensured that, the legal status of Forest Land shall be maintained unchanged.
2	The demarcation of the common boundary of the forest area being diverted shall be carried out by erecting cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency, before Stage - II approval.	Cement concrete pillars, have been erected at 20m interval in Forest stretches.
3	The cost of raising Compensatory Afforestation over double the degraded forest land over an extent of 83.00 Ha in Sy.No. 14 of Kurihalli and Sy.No. 20 of Mucchaveeranahalli village, Hagalvadi Hobli, Gubbi Taluk of Manchaladore state Forest, Tumakuru District shall be realized from the User Agency. Area identified for Compensatory Afforestation needs to be demarcated using Chain link fencing for better survival. A detailed model for Compensatory afforestation inclusive of chain-link fencing, irrigation and SMC works etc., needs to be prepared before Stage-II approval by the State Forest Department and the same may be implemented at the cost of User Agency on stage - II approval.	As per the demand notice received from Deputy Conservator of Forest Tumakuru, for depositing the charges of Compensatory Afforestation, chain-link fencing, irrigation and SMC works, amounting Rs. 7,38,59,892/- towards development of 83.00 Ha in Sy.No. 14 of Kurihalli and Sy.No. 20 of Mucchaveeranahalli village, Hagalvadi Hobli, Gubbi Taluk of Manchaladore state Forest, Tumakuru District against diversion of 41. 2081 Ha of Forest land for 4 lanning Tumakuru - Shivamogga section of NH-206, is deposited to the account of State Compensatory Afforestation Fund on 31.05.2019 through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
4	The State Government shall charge the Net Present Value of the diverted forest land measuring 41.2081 Ha (17.7188 Ha) from User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IA's in Writ Petition (Civil) No. 202/1995.	As per the demand notice received from Deputy Conservator of Forest Tumakuru, towards Net Present Value (NPV), amounting to Rs. 1,10,91,969/- towards the cost of Net Present Value charges towards diversion of 17.7188 Ha of Forest land in Tumakuru District of Tumakuru-Shivamogga section is deposited to the account of State Compensatory Afforestation Fund on 31.05.2019, through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
5	Additional amount of the Net Present Value(NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall be charged by the State Government from User Agency shall furnish an undertaking to this effect	It is to undertake that, Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall be deposited by National Highways Authority of India.
6	User Agency should ensure that Compensatory levies are deposited in the State Compensatory Afforestation Fund notified under Compensatory	All the charges have been deposited to the account of State Compensatory Afforestation Fund on 31.05.2019

	Afforestation Fund Act, 2016 and explained in the Office Memorandum issued by Ministry of Environment, Forest & Climate Change vide No. 11-100/2015-FC(Vol.III) dated 28/09/2018.0	through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
7	Necessary certificates/documents under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 as per the guidelines issued by Ministry of Environment & Forests vide letter No. 11-9/1998-FC (Pt) dated 05.07.2013 shall be furnished before Stage-II clearance.	FRA Certificate has been issued by, Deputy Commissioner, Tumakuru District. (Copy Enclosed)
8	A Mitigation plan as approved by the CWLW for Wildlife Conservation in Chavdlapura, Bidrahalli Kaval and Kanchiganahalli areas of Tumkur(Div) needs to be submitted before Stage - II approval and have to be implemented by the concerned Department/agencies at the cost of User Agency.	Wild life mitigation plan has been approved by PCCF, CWLW, Bangalore vide letter no. KFD/WN/Land/(LND)/23/2019 dated 26.07.2019 and Rs.1.59 Crores has been deposited to DCF, Tumakuru towards mitigation measures as per approved mitigation plan.
9	Tree felling shall be done only when it is unavoidable and under the strict supervision of the State Forest Department.	Tree felling in Forest stretches is taken up by Forest Department, on deposition of extraction, transportation etc charges.
10	Soil and Moisture Conservation Works shall be taken up in 100 mt on either side of the road passing through forest areas in consultation with State Department. Also, existing water bodies in the vicinity needs to be rejuvenated at the cost of User Agency. The user agency shall furnish an undertaking to this effect.	Soil and Moisture conservation measures including rejuvenation of existing water bodies is included in wild life mitigation measures and the same is approved by Chief wild life warden Forest Department and the charges towards the same as per demand notice received by Deputy Conservator of Forest Tumakuru, amounting to Rs. 70.00 Lakhs has been deposited to State Compensatory Afforestation fund, on 30.07.2019 through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
11	Height of the electric poles may be maintained at 9 mtrs in the forest area.	Agreed
12	Avenue planting shall be taken up by User Agency along the road on either sides wherever required at the project cost. The plantation shall also be maintained at the project cost. The user agency shall furnish an undertaking to this effect.	It is to undertake that, the avenue plantation along the project highway would be done and maintained.
13	NHAI authorities shall undertake annual fire protection works in consultation with the Forest Department in the Reserve Forest areas.	Construction of fire watch towers to detect fire (6 Nos) has been included in the approved mitigation plan and the charges towards the same amounting to Rs. 24.00 Lakhs has been deposited to State Compensatory Afforestation fund, on 30.07.2019 through RTGS upon generation of challan through Parivesh

		Portal (payment receipt enclosed).
14	Any improvement work undertaken by the User Agency shall not block the access to Forest Estate by Forest Department all along the entire length of the NH passing through the forest area.	Agreed
15	Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.	Agreed
16	No labour camp shall be established on the forest land.	Agreed
17	The User Agency shall provide fuel preferably alternate fuel, to the labourers and the staff working at project area, so as to avoid any damage and pressure on the nearby forest areas.	Agreed
18	The forest land should not be used for any purpose other than that specified in the proposal.	Agreed
19	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.	Agreed
20	No damage of the flora and fauna of the adjoining areas shall be caused.	Agreed
21	The User Agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project.	Agreed
22	The User Agency shall submit the annual self-compliance report in respect of the above conditions to the State Government and to this Regional Office of the Ministry, regularly.	Agreed
23	The User Agency and the State Government shall ensure compliance to the provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.	Agreed
24	In Order to avoid Human-Animal conflict, no parking and resting facility will be provided along the highway, inside the forest area.	Agreed
25	The User Agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.	As per the general conditions under amendment to EIA notification dated 22 nd August 2013 of MoEF the project shall not require Environmental Clearance.
26	The total forest area utilized for the project shall not exceed 41.2081 Ha.	Agreed
27	Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional	Agreed

	Office, Bangalore may impose from time for protection, improvement of flora and fauna forest area and public convenience, shall also be applicable.	
28	Violation of any of the conditions shall invite penal action, as deemed fit by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore.	Agreed

In this regard, it is requested to recommend for according final (Stage-II) approval for the diversion of 17.7188 Ha of Forest land in Kanchiganahalli village and Bidarhalli Kaval village of Gubbi Taluk and Chowdlapura Kaval village of Tiptur taluk, Tumakuru District.

In view of above, it is requested for according final (Stage-II) approval for the diversion of 41.2081 Ha of Forest land in Babiganahalli and 21 other villages in various Taluks and Districts (Gubbi and Tiptur Taluks of Tumkur District, Arasikere Taluk of Hassan District, Kadur and Tarikere Taluks of Chikkamagaluru District and Bhadravathi Taluk of Shivamogga District) for widening of existing 2 lane to 4 lane of National Highway (NH-206) from Tumkur to Shivamogga Section under NHDP (12+310 Km to 217+000 Km) in favour of the Project Director, National Highways Authority of India (NHAI), Project Implementation Unit, Tumkur.

Thanking you,

Yours faithfully



(Shirish Gangadhar)
Project Director
NHAI, PIU-Tumakuru.

Ensl: as above
Copy to:

1. The Principal Chief Conservator of Forests (HoFF), Forest Department, Government of Karnataka, Aranya Bhavana, 18th Cross, Malleshwaram, Bangalore – for kind information
2. The Additional Principal Chief Conservator of Forests/Nodal officer (FCA) , Office of the Principal Chief Conservator of Forests, Forst Department, Govt of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – for kind information.
3. The Regional Officer, NHAI Regional Office, Bangalore for kind information.
4. The Chief Conservator of Forest, Hassan – for kind information.
5. The Independent Engineer, M/s. Theme Engineering Services Pvt Ltd., Tiptur: for information and necessary action.
6. Concessionaire, M/s. Ashoka Mallasandra Karadai Road Pvt Ltd,: for information and necessary action.
7. Concessionaire, M/s. Ashoka Karadai Banavara Road Pvt Ltd,: for information and necessary action.



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National Highways Authority of India
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परियोजना कार्यान्वयन इकाई - तुमकुरु
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NHAI/PIU-TMK/12017/01/2019-20/1408

05.12.2019

To,
The Deputy Conservator of Forest,
Chikkamagaluru Division
Chikkamagaluru.

Sub: Diversion of 41.2081 Ha of forest land in Babiganahalli and 21 other villages in various Taluks and Districts (Gubbi and Tiptur Taluks of Tumkur District, Arasikere Taluk of Hassan District, Kadur and Tarikere Taluks of Chikkamagaluru District and Bhadravathi Taluk of Shivamogga District) for widening of existing 2 lane to 4 lane of National Highway (NH-206) from Tumkur to Shivamogga Section under NHDP (12+310 Km to 217+000 Km) in favour of the Project Director, National Highways Authority of India (NHAI), Project Implementation Unit, Tumkur - **Requesting for final (Stage - II) approval - reg.**

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In this regard, the compliance report to the conditions given by MoEF in above letter is submitted as under:

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1	The legal status of forest land shall remain unchanged.	It is ensured that, the legal status of Forest Land shall be maintained unchanged.
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3	The cost of raising Compensatory Afforestation over double the degraded forest land over an extent of 83.00 Ha in Sy.No. 14 of Kurihalli and Sy.No. 20 of Mucchaveeranahalli village, Hagalvadi Hobli, Gubbi Taluk of Manchaladore state Forest, Tumakuru District shall be realized from the User Agency. Area identified for Compensatory Afforestation needs to be demarcated using Chain link fencing for better survival. A detailed model for Compensatory afforestation inclusive of chain-link fencing, irrigation and SMC works etc., needs to be prepared before Stage-II approval by the State Forest Department and the same may be implemented at the cost of User Agency on stage - II approval.	As per the demand notice received from Deputy Conservator of Forest Tumakuru, for depositing the charges of Compensatory Afforestation, chain-link fencing, irrigation and SMC works, amounting Rs. 7,38,59,892/- towards development of 83.00 Ha in Sy.No. 14 of Kurihalli and Sy.No. 20 of Mucchaveeranahalli village, Hagalvadi Hobli, Gubbi Taluk of Manchaladore state Forest, Tumakuru District against diversion of 41. 2081 Ha of Forest land for 4 lanning Tumakuru - Shivamogga section of NH-206, is deposited to the account of State Compensatory Afforestation Fund on 31.05.2019 through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
4	The State Government shall charge the Net Present Value of the diverted forest land measuring 41.2081 Ha (4.5797 Ha) from User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IA's in Writ Petition (Civil) No. 202/1995.	As per the demand notice received from Deputy Conservator of Forest Chikkmagaluru, towards Net Present Value (NPV), amounting to Rs. 28,66,892/- towards the cost of Net Present Value charges towards diversion of 4.5797 Ha of Forest land in Chikkmagaluru District of Tumakuru-Shivamogga section is deposited to the account of State Compensatory Afforestation Fund on 31.05.2019, through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
5	Additional amount of the Net Present Value(NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall be charged by the State Government from User Agency shall furnish an undertaking to this effect	It is to undertake that, Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall be deposited by National Highways Authority of India.
6	User Agency should ensure that Compensatory levies are deposited in the State Compensatory Afforestation Fund notified under Compensatory	All the charges have been deposited to the account of State Compensatory Afforestation Fund on 31.05.2019

	Afforestation Fund Act, 2016 and explained in the Office Memorandum issued by Ministry of Environment, Forest & Climate Change vide No. 11-100/2015-FC(Vol.III) dated 28/09/2018.0	through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
7	Necessary certificates/documents under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 as per the guidelines issued by Ministry of Environment & Forests vide letter No. 11-9/1998-FC (Pt) dated 05.07.2013 shall be furnished before Stage-II clearance.	FRA Certificate has been issued by, Deputy Commissioner, Chikkamagaluru District. (Copy Enclosed)
8	A Mitigation plan as approved by the CWLW for Wildlife Conservation in Chavdlapura, Bidrahalli Kaval and Kanchiganahalli areas of Tumkur(Div) needs to be submitted before Stage - II approval and have to be implemented by the concerned Department/agencies at the cost of User Agency.	Wild life mitigation plan has been approved by PCCF, CWLW, Bangalore vide letter no. KFD/WN/Land/(LND)/23/2019 dated 26.07.2019 and Rs.1.59 Crores has been deposited to DCF, Tumakuru towards mitigation measures as per approved mitigation plan.
9	Tree felling shall be done only when it is unavoidable and under the strict supervision of the State Forest Department.	Tree felling in Forest stretches is taken up by Forest Department, on deposition of extraction, transportation etc charges.
10	Soil and Moisture Conservation Works shall be taken up in 100 mt on either side of the road passing through forest areas in consultation with State Department. Also, existing water bodies in the vicinity needs to be rejuvenated at the cost of User Agency. The user agency shall furnish an undertaking to this effect.	Soil and Moisture conservation measures including rejuvenation of existing water bodies is included in wild life mitigation measures and the same is approved by Chief wild life warden Forest Department and the charges towards the same as per demand notice received by Deputy Conservator of Forest Tumakuru, amounting to Rs. 70.00 Lakhs has been deposited to State Compensatory Afforestation fund, on 30.07.2019 through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
11	Height of the electric poles may be maintained at 9 mtrs in the forest area.	Agreed
12	Avenue planting shall be taken up by User Agency along the road on either sides wherever required at the project cost. The plantation shall also be maintained at the project cost. The user agency shall furnish an undertaking to this effect.	It is to undertake that, the avenue plantation along the project highway would be done and maintained.
13	NHAI authorities shall undertake annual fire protection works in consultation with the Forest Department in the Reserve Forest areas.	Construction of fire watch towers to detect fire (6 Nos) has been included in the approved mitigation plan and the charges towards the same amounting to Rs. 24.00 Lakhs has been deposited to State Compensatory Afforestation fund, on 30.07.2019 through RTGS upon generation of challan through Parivesh

		Portal (payment receipt enclosed).
14	Any improvement work undertaken by the User Agency shall not block the access to Forest Estate by Forest Department all along the entire length of the NH passing through the forest area.	Agreed
15	Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.	Agreed
16	No labour camp shall be established on the forest land.	Agreed
17	The User Agency shall provide fuel preferably alternate fuel, to the labourers and the staff working at project area, so as to avoid any damage and pressure on the nearby forest areas.	Agreed
18	The forest land should not be used for any purpose other than that specified in the proposal.	Agreed
19	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.	Agreed
20	No damage of the flora and fauna of the adjoining areas shall be caused.	Agreed
21	The User Agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project.	Agreed
22	The User Agency shall submit the annual self-compliance report in respect of the above conditions to the State Government and to this Regional Office of the Ministry, regularly.	Agreed
23	The User Agency and the State Government shall ensure compliance to the provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.	Agreed
24	In Order to avoid Human-Animal conflict, no parking and resting facility will be provided along the highway, inside the forest area.	Agreed
25	The User Agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.	As per the general conditions under amendment to EIA notification dated 22 nd August 2013 of MoEF the project shall not require Environmental Clearance.
26	The total forest area utilized for the project shall not exceed 41.2081 Ha.	Agreed
27	Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional	Agreed

	Office, Bangalore may impose from time for protection, improvement of flora and fauna forest area and public convenience, shall also be applicable.	
28	Violation of any of the conditions shall invite penal action, as deemed fit by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore.	Agreed

In this regard, it is requested to recommend for according final (Stage-II) approval for the diversion of 4.5797 Ha of Forest land in Linglapura, Anche Chomanahalli, Kuppalu, Mathighatta, Gedlehalli, Tangli, Jodi Thimplapura of Kadur taluk and H.Rangapura, Malali Chennenahalli of Tarikere taluk of Chikkmagaluru District for Tumakuru – Shivamogga section of NH-206.

In view of above, it is requested for according final (Stage-II) approval for the diversion of 41.2081 Ha of Forest land in Babiganahalli and 21 other villages in various Taluks and Districts (Gubbi and Tiptur Taluks of Tumkur District, Arasikere Taluk of Hassan District, Kadur and Tarikere Taluks of Chikkmagaluru District and Bhadravathi Taluk of Shivamogga District) for widening of existing 2 lane to 4 lane of National Highway (NH-206) from Tumkur to Shivamogga Section under NHDP (12+310 Km to 217+000 Km) in favour of the Project Director, National Highways Authority of India (NHAI), Project Implementation Unit, Tumkur.

Thanking you,

Yours faithfully


(Shirish Gangadhar)
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National Highways Authority of India

(Ministry of Road Transport & Highways, Government of India)

परियोजना कार्यान्वयन इकाई - तुमकुरु
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NHAI/PIU-TMK/12017/01/2019-20/1429

05.12.2019

To,
The Deputy Conservator of Forest,
Bhadravathi Division
Bhadravathi, Shivamogga District

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1	The legal status of forest land shall remain unchanged.	It is ensured that, the legal status of Forest Land shall be maintained unchanged.
2	The demarcation of the common boundary of the forest area being diverted shall be carried out by erecting cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency, before Stage - II approval.	Cement concrete pillars, shall be erected at 20m interval in Forest stretches.
3	The cost of raising Compensatory Afforestation over double the degraded forest land over an extent of 83.00 Ha in Sy.No. 14 of Kurihalli and Sy.No. 20 of Muchaveeranahalli village, Hagalvadi Hobli, Gubbi Taluk of Manchaladore state Forest, Tumakuru District shall be realized from the User Agency. Area identified for Compensatory Afforestation needs to be demarcated using Chain link fencing for better survival. A detailed model for Compensatory afforestation inclusive of chain-link fencing, irrigation and SMC works etc., needs to be prepared before Stage-II approval by the State Forest Department and the same may be implemented at the cost of User Agency on stage - II approval.	As per the demand notice received from Deputy Conservator of Forest Tumakuru, for depositing the charges of Compensatory Afforestation, chain-link fencing, irrigation and SMC works, amounting Rs. 7,38,59,892/- towards development of 83.00 Ha in Sy.No. 14 of Kurihalli and Sy.No. 20 of Muchaveeranahalli village, Hagalvadi Hobli, Gubbi Taluk of Manchaladore state Forest, Tumakuru District against diversion of 41.2081 Ha of Forest land for 4 lanning Tumakuru - Shivamogga section of NH-206, is deposited to the account of State Compensatory Afforestation Fund on 31.05.2019 through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
4	The State Government shall charge the Net Present Value of the diverted forest land measuring 41.2081 Ha (17.5334 Ha) from User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IA's in Writ Petition (Civil) No. 202/1995.	As per the demand notice received from Deputy Conservator of Forest Chikkmagaluru, towards Net Present Value (NPV), amounting to Rs. 1,40,79,320/- towards the cost of Net Present Value charges towards diversion of 17.5334 Ha of Forest land in Shivamogga District of Tumakuru-Shivamogga section is deposited to the account of State Compensatory Afforestation Fund on 31.05.2019, through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
5	Additional amount of the Net Present Value(NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall be charged by the State Government from User Agency shall furnish an undertaking to this effect	It is to undertake that, Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall be deposited by National Highways Authority of India.
6	User Agency should ensure that Compensatory levies are deposited in the State Compensatory Afforestation Fund notified under Compensatory	All the charges have been deposited to the account of State Compensatory Afforestation Fund on 31.05.2019

	Afforestation Fund Act, 2016 and explained in the Office Memorandum issued by Ministry of Environment, Forest & Climate Change vide No. 11-100/2015-FC(Vol.III) dated 28/09/2018.0	through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
7	Necessary certificates/documents under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 as per the guidelines issued by Ministry of Environment & Forests vide letter No. 11-9/1998-FC (Pt) dated 05.07.2013 shall be furnished before Stage-II clearance.	FRA Certificate has been issued by, Deputy Commissioner, Shivamogga District. (Copy Enclosed)
8	A Mitigation plan as approved by the CWLW for Wildlife Conservation in Chavdlapura, Bidrahalli Kaval and Kanchiganahalli areas of Tumkur(Div) needs to be submitted before Stage - II approval and have to be implemented by the concerned Department/agencies at the cost of User Agency.	Wild life mitigation plan has been approved by PCCF, CWLW, Bangalore vide letter no. KFD/WN/Land/(LND)/23/2019 dated 26.07.2019 and Rs.1.59 Crores has been deposited to DCF, Tumakuru towards mitigation measures as per approved mitigation plan.
9	Tree felling shall be done only when it is unavoidable and under the strict supervision of the State Forest Department.	Tree felling in Forest stretches is taken up by Forest Department, on deposition of extraction, transportation etc charges.
10	Soil and Moisture Conservation Works shall be taken up in 100 mt on either side of the road passing through forest areas in consultation with State Department. Also, existing water bodies in the vicinity needs to be rejuvenated at the cost of User Agency. The user agency shall furnish an undertaking to this effect.	Soil and Moisture conservation measures including rejuvenation of existing water bodies is included in <i>wild life mitigation measures and the</i> same is approved by Chief wild life warden Forest Department and the charges towards the same as per demand notice received by Deputy Conservator of Forest Tumakuru, amounting to Rs. 70.00 Lakhs has been deposited to State Compensatory Afforestation fund, on 30.07.2019 through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
11	Height of the electric poles may be maintained at 9 mtrs in the forest area.	Agreed
12	Avenue planting shall be taken up by User Agency along the road on either sides wherever required at the project cost. The plantation shall also be maintained at the project cost. The user agency shall furnish an undertaking to this effect.	It is to undertake that, the avenue plantation along the project highway would be done and maintained.
13	NHAI authorities shall undertake annual fire protection works in consultation with the Forest Department in the Reserve Forest areas.	Construction of fire watch towers to detect fire (6 Nos) has been included in the approved mitigation plan and the charges towards the same amounting to Rs. 24.00 Lakhs has been deposited to State Compensatory Afforestation fund, on 30.07.2019 through RTGS upon generation of challan through Parivesh

		Portal (payment receipt enclosed).
14	Any improvement work undertaken by the User Agency shall not block the access to Forest Estate by Forest Department all along the entire length of the NH passing through the forest area.	Agreed
15	Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.	Agreed
16	No labour camp shall be established on the forest land.	Agreed
17	The User Agency shall provide fuel preferably alternate fuel, to the labourers and the staff working at project area, so as to avoid any damage and pressure on the nearby forest areas.	Agreed
18	The forest land should not be used for any purpose other than that specified in the proposal.	Agreed
19	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.	Agreed
20	No damage of the flora and fauna of the adjoining areas shall be caused.	Agreed
21	The User Agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project.	Agreed
22	The User Agency shall submit the annual self-compliance report in respect of the above conditions to the State Government and to this Regional Office of the Ministry, regularly.	Agreed
23	The User Agency and the State Government shall ensure compliance to the provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.	Agreed
24	In Order to avoid Human-Animal conflict, no parking and resting facility will be provided along the highway, inside the forest area.	Agreed
25	The User Agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.	As per the general conditions under amendment to EIA notification dated 22 nd August 2013 of MoEF the project shall not require Environmental Clearance.
26	The total forest area utilized for the project shall not exceed 41.2081 Ha.	Agreed
27	Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional	Agreed

	Office, Bangalore may impose from time for protection, improvement of flora and fauna forest area and public convenience, shall also be applicable.	
28	Violation of any of the conditions shall invite penal action, as deemed fit by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore.	Agreed

In this regard, it is requested to recommend for according final (Stage-II) approval for the diversion of 17.5334 Ha of Forest land in Karehalli, Anekoppa and Ujjanipura Villages of Bhadravati taluk of Shivamogga District for Tumakuru – Shivamogga section of NH-206.

In view of above, it is requested for according final (Stage-II) approval for the diversion of 41.2081 Ha of Forest land in Babiganahalli and 21 other villages in various Taluks and Districts (Gubbi and Tiptur Taluks of Tumkur District, Arasikere Taluk of Hassan District, Kadur and Tarikere Taluks of Chikkamagaluru District and Bhadravathi Taluk of Shivamogga District) for widening of existing 2 lane to 4 lane of National Highway (NH-206) from Tumkur to Shivamogga Section under NHDP (12+310 Km to 217+000 Km) in favour of the Project Director, National Highways Authority of India (NHAI), Project Implementation Unit, Tumkur.

Thanking you,

Yours faithfully



(Shirish Gangadhar)
Project Director
NHAI, PIU-Tumakuru.

Ensl: as above

Copy to:

1. The Principal Chief Conservator of Forests (HoFF), Forest Department, Government of Karnataka, Aranya Bhavana, 18th Cross, Malleshwaram, Bangalore – for kind information
2. The Additional Principal Chief Conservator of Forests/Nodal officer (FCA) , Office of the Principal Chief Conservator of Forests, Forst Department, Govt of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – for kind information.
3. The Regional Officer, NHAI Regional Office, Bangalore for kind information.
4. The Chief Conservator of Forest, Shivmogga – for kind information.
5. The Independent Engineer, M/s. Theme Engineering Services Pvt Ltd., Tiptur: for information and necessary action.
6. M/s. Ashoka Buildcon Pvt Ltd, Nasik : for information and necessary action.



भारतीय राष्ट्रीय राजमार्ग प्राधिकरण
(सड़क परिवहन और राजमार्ग मंत्रालय, भारत सरकार)
National Highways Authority of India
(Ministry of Road Transport & Highways, Government of India)

परियोजना कार्यान्वयन इकाई - तुमकुरु
Project Implementation Unit - Tumakuru
श्री रक्षे, ८० फीट रोड, महालक्ष्मी नगर, बटावडी, तुमकुरु - ५७२ १०३
Sri Rakshe, 80 Ft Road, Mahalakshmi Nagar, Batawadi, Tumakuru- 572 103

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E-mail : pntumkur@nhai.org
nhaitumkur@gmail.com



NHAI/PIU-TMK/12017/01/2019-20/1841

06.02.2020

To,
The Deputy Conservator of Forest,
Hassan Division
Hassan

Sub: Diversion of 41.2081 Ha of forest land in Babiganahalli and 21 other villages in various Taluks and Districts (Gubbi and Tiptur Taluks of Tumkur District, Arasikere Taluk of Hassan District, Kadur and Tarikere Taluks of Chikkamagaluru District and Bhadravathi Taluk of Shivamogga District) for widening of existing 2 lane to 4 lane of National Highway (NH-206) from Tumkur to Shivamogga Section under NHDP (12+310 Km to 217+000 Km) in favour of the Project Director, National Highways Authority of India (NHAI), Project Implementation Unit, Tumkur - **Requesting for final (Stage - II) approval** - reg.

Ref: Ministry of Environment, Forests & Climate Change, Regional Office (Southern Zone), Bangalore letter No. 4-KRA1178/2019-BAN/1626 dated: 20.02.2019.

Sir,

Ministry of Environment, Forests & Climate Change, Regional Office (Southern Zone), Bangalore vide letter cited above, has accorded in - principle (stage - I) approval for diversion of 41.2081 Ha of forest land in Babiganahalli and 21 other villages in various Taluks and Districts (Gubbi and Tiptur Taluks of Tumkur District, Arasikere Taluk of Hassan District, Kadur and Tarikere Taluks of Chikkamagaluru District and Bhadravathi Taluk of Shivamogga District) for widening of existing 2 lane to 4 lane of National Highway (NH-206) from Tumkur to Shivamogga Section under NHDP (12+310 Km to 217+000 Km) in favour of the Project Director, National Highways Authority of India (NHAI), Project Implementation Unit, Tumkur, for a period of 20 years, subject to the conditions mentioned in said letter and requested for compliance report to the conditions for consideration of subject proposal for final (Stage - II) approval.

In this regard, the compliance report to the conditions given by MoEF in above letter is submitted as under:

Contd...

Sl. No	Conditions	Compliance
1	The legal status of forest land shall remain unchanged.	It is ensured that, the legal status of Forest Land shall be maintained unchanged.
2	The demarcation of the common boundary of the forest area being diverted shall be carried out by erecting cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency, before Stage - II approval.	Cement concrete pillars, shall be erected at 20m interval in Forest stretches.
3	The cost of raising Compensatory Afforestation over double the degraded forest land over an extent of 83.00 Ha in Sy.No. 14 of Kurihalli and Sy.No. 20 of Mucchaveeranahalli village, Hagalvadi Hobli, Gubbi Taluk of Manchaladore state Forest, Tumakuru District shall be realized from the User Agency. Area identified for Compensatory Afforestation needs to be demarcated using Chain link fencing for better survival. A detailed model for Compensatory afforestation inclusive of chain-link fencing, irrigation and SMC works etc., needs to be prepared before Stage-II approval by the State Forest Department and the same may be implemented at the cost of User Agency on stage - II approval.	As per the demand notice received from Deputy Conservator of Forest Tumakuru, for depositing the charges of Compensatory Afforestation, chain-link fencing, irrigation and SMC works, amounting Rs. 7,38,59,892/- towards development of 83.00 Ha in Sy.No. 14 of Kurihalli and Sy.No. 20 of Mucchaveeranahalli village, Hagalvadi Hobli, Gubbi Taluk of Manchaladore state Forest, Tumakuru District against diversion of 41.2081 Ha of Forest land for 4 lanning Tumakuru - Shivamogga section of NH-206, is deposited to the account of State Compensatory Afforestation Fund on 31.05.2019 through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
4	The State Government shall charge the Net Present Value of the diverted forest land measuring 41.2081 Ha (1.3762 Ha) from User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IA's in Writ Petition (Civil) No. 202/1995.	As per the demand notice received from Deputy Conservator of Forest Hassan, towards Net Present Value (NPV), amounting to Rs. 8,61,501/- towards the cost of Net Present Value charges towards diversion of 1.3762 Ha (0.6762 Ha) of Forest land in Hassan District of Tumakuru-Shivamogga section is deposited to the account of State Compensatory Afforestation Fund on 31.05.2019, through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
5	Additional amount of the Net Present Value(NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall be charged by the State Government from User Agency shall furnish an undertaking to this effect	It is to undertake that, Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall be deposited by National Highways Authority of India.
6	User Agency should ensure that Compensatory levies are deposited in the State Compensatory Afforestation Fund notified under Compensatory Afforestation Fund Act, 2016 and explained in the Office Memorandum	All the charges have been deposited to the account of State Compensatory Afforestation Fund on 31.05.2019 through RTGS upon generation of challan through Parivesh Portal (payment receipt

	issued by Ministry of Environment, Forest & Climate Change vide No. 11-100/2015-FC(Vol.III) dated 28/09/2018.0	enclosed).
7	Necessary certificates/documents under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 as per the guidelines issued by Ministry of Environment & Forests vide letter No. 11-9/1998-FC (Pt) dated 05.07.2013 shall be furnished before Stage-II clearance.	FRA Certificate has been issued by, Deputy Commissioner, Hassan District. (Copy Enclosed)
8	A Mitigation plan as approved by the CWLW for Wildlife Conservation in Chavdlapura, Bidrahalli Kaval and Kanchiganahalli areas of Tumkur(Div) needs to be submitted before Stage - II approval and have to be implemented by the concerned Department/agencies at the cost of User Agency.	Wild life mitigation plan has been approved by PCCF, CWLW, Bangalore vide letter no. KFD/WN/Land/(LND)/23/2019 dated 26.07.2019 and Rs.1.59 Crores has been deposited to DCF, Tumakuru towards mitigation measures as per approved mitigation plan.
9	Tree felling shall be done only when it is unavoidable and under the strict supervision of the State Forest Department.	Tree felling in Forest stretches is taken up by Forest Department, on deposition of extraction, transportation etc charges.
10	Soil and Moisture Conservation Works shall be taken up in 100 mt on either side of the road passing through forest areas in consultation with State Department. Also, existing water bodies in the vicinity needs to be rejuvenated at the cost of User Agency. The user agency shall furnish an undertaking to this effect.	Soil and Moisture conservation measures including rejuvenation of existing water bodies is included in wild life mitigation measures and the same is approved by Chief wild life warden Forest Department and the charges towards the same as per demand notice received by Deputy Conservator of Forest Tumakuru, amounting to Rs. 70.00 Lakhs has been deposited to State Compensatory Afforestation fund, on 30.07.2019 through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
11	Height of the electric poles may be maintained at 9 mtrs in the forest area.	Agreed
12	Avenue planting shall be taken up by User Agency along the road on either sides wherever required at the project cost. The plantation shall also be maintained at the project cost. The user agency shall furnish an undertaking to this effect.	It is to undertake that, the avenue plantation along the project highway would be done and maintained.
13	NHAI authorities shall undertake annual fire protection works in consultation with the Forest Department in the Reserve Forest areas.	Construction of fire watch towers to detect fire (6 Nos) has been included in the approved mitigation plan and the charges towards the same amounting to Rs. 24.00 Lakhs has been deposited to State Compensatory Afforestation fund, on 30.07.2019 through RTGS upon generation of challan through Parivesh Portal (payment receipt enclosed).
14	Any improvement work undertaken by the User Agency shall not block the access to Forest Estate by Forest Department all along the entire length of the NH passing through the	Agreed

	forest area.	
15	Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.	Agreed
16	No labour camp shall be established on the forest land.	Agreed
17	The User Agency shall provide fuel preferably alternate fuel, to the labourers and the staff working at project area, so as to avoid any damage and pressure on the nearby forest areas.	Agreed
18	The forest land should not be used for any purpose other than that specified in the proposal.	Agreed
19	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.	Agreed
20	No damage of the flora and fauna of the adjoining areas shall be caused.	Agreed
21	The User Agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project.	Agreed
22	The User Agency shall submit the annual self-compliance report in respect of the above conditions to the State Government and to this Regional Office of the Ministry, regularly.	Agreed
23	The User Agency and the State Government shall ensure compliance to the provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.	Agreed
24	In Order to avoid Human-Animal conflict, no parking and resting facility will be provided along the highway, inside the forest area.	Agreed
25	The User Agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.	As per the general conditions under amendment to EIA notification dated 22 nd August 2013 of MoEF the project shall not require Environmental Clearance.
26	The total forest area utilized for the project shall not exceed 41.2081 Ha.	Agreed
27	Any other condition that the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore may impose from time for protection, improvement of flora and fauna forest area and public convenience, shall also be applicable.	Agreed
28	Violation of any of the conditions shall invite	Agreed

	penal action, as deemed fit by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore.	
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During recommendation for Stage-I proposal 1.3762 Ha of forest land was proposed for diversion on Hassan District, Arsikere Taluk for widening of NH-206, as detailed below:

Sl. No	Name of villages	Sy No	Extent of Forest land (Ha)	Remarks
1	Kasaba Hobli, Kallanayakanhalli,	36	0.70	60 Acres has been de-notified on 17.07.1966
2	Banavara Hobli, Bendekere	148	0.6762	
	Total		1.3762	Out of 1.3762 Ha only 0.6762 Ha has been proposed for Stage-II approval.

However, during issuing FRA certificate, RFO Arsikere vide letter No. RFO/ARSK/456/2019-20 dated: 18.11.2019 has informed that, 60 Acres in Sy No. 36 of Kallanayakanahalli village is non-forest land and de-notified on 17.07.1966, hence FRA certificate is issued only for 0.6762 Ha in Sy No. 148 of Bendekere village. Total, 41.2081 Ha of extent is proposed for diversion in Tumakuru to Shivamogga section of NH-206. Now, since 0.70 Ha is non-forest land, the actual extent of diversion of forest and is 40.6081 Ha (41.2081 Ha - 0.60 Ha).

Accordingly, necessary action may please be initiated regarding the excess extent of 0.70 Ha included in the Stage-I diversion proposal.

Also, it is requested to recommend for according final (Stage-II) approval for the diversion of 0.6762Ha of Forest land in Bedekere village of Arsikere Taluk of Hassan District for Tumakuru - Shivamogga section of NH-206, in favour of Project Director, NHAI, PIU-Tumakuru.

Thanking you,

Yours faithfully


(Shirish Gangadhar)

Project Director
NHAI, PIU-Tumakuru.

Encl: as above

Copy to:

1. The Principal Chief Conservator of Forests (HoFF), Forest Department, Government of Karnataka, Aranya Bhavana, 18th Cross, Malleshwaram, Bangalore - for kind information
2. The Additional Principal Chief Conservator of Forests/Nodal officer (FCA) , Office of the Principal Chief Conservator of Forests, Forst Department, Govt of Karnataka, Aranya Bhavan, 18th Cross, Malleshwaram, Bangalore - for kind information.
3. The Regional Officer, NHAI Regional Office, Bangalore for kind information.
4. The Chief Conservator of Forest, Hassan - for kind information.
5. The Independent Engineer, M/s. Theme Engineering Services Pvt Ltd., Tiptur: for information and necessary action.
6. Concessionaire, M/s. Ashoka Karadai Banavara Road Pvt Ltd.; for information and necessary action.