



भारत सरकार  
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE  
Regional Office (Southern Zone),  
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**BY SPEED POST**

F. No.4-KRB1231/2020-BAN/

Dated the 13<sup>th</sup> March, 2020

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 0.3221 ha. of forest land in Sy.No. 140, Naubad village, Kamatana Hobli, Bidar Taluk & District for construction of 4 lane Road Over Bridge (ROB) and its approaches in lieu of existing level crossing No. 48/E at KM 66,900 on NH-50 (Railway Chainage 96/6-7) in favour of the Executive Engineer, Public Work, Ports & Inland Transport Department (National Highways Division), Kalaburgi -reg.

Sir,

I am directed to refer to the State Government's letter No. FEE 30 FLL 2019 dated 25/02/2020 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, the Central Government hereby conveys the in-principle approval (**Stage-I**) for diversion of 0.3221 ha. of forest land in Sy.No. 140, Naubad village, Kamatana Hobli, Bidar Taluk & District for construction of 4 lane Road Over Bridge (ROB) and its approaches in lieu of existing level crossing No. 48/E at KM 66,900 on NH-50 (Railway Chainage 96/6-7) in favour of the Executive Engineer, Public Work, Ports & Inland Transport Department (National Highways Division), Kalaburgi, subject to fulfillment of the following conditions:-

1. The legal status of forest land shall remain unchanged.
2. The boundary of the forest land to be diverted shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer.
3. The cost of raising plantation of ten times the number of trees to be felled shall be realised from the user agency. The location of the area identified for raising the plantation shall be furnished for considering Stage-II clearance.
4. The State Government shall charge the Net Present Value for 0.3221 ha. of forest area to be diverted under this proposal from the 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.



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 the user agency. The user agency shall furnish an undertaking to this effect.
6. All the funds received from the user agency under the project shall be transferred /deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
7. 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 3<sup>rd</sup> August 2009 read with 05.07.2003, in support thereof.
8. The layout plan of the proposal shall not be changed without prior approval of Central Government.
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. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
12. The forest area shall be used for the purpose for which it is granted. The total forest area utilized for the project shall not exceed 0.3221 ha.
13. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
14. 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.
15. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
16. 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.
17. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F.No.11-42/2017-FC dated 29/01/2018.
18. The State Government and user agency shall comply the provisions of all the Acts, Rules, Regulations, Guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.



After receipt of the compliance report on the above conditions, the proposal will be considered for final approval. This in-principle approval shall be valid for a period of 5 years. The forest land shall not be transferred to the User Agency prior to the issue of final approval.

Yours faithfully,



(M.K. Shambhu)

Deputy Inspector General of Forests (Central)

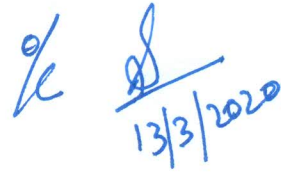
Copy to:-

1. The Principal Chief Conservator of Forests (HoFF), Forests Department, Govt. of Karnataka, Aranya Bhavan, 18<sup>th</sup> Cross, Malleswaram, Bangalore – 560 003.
2. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18<sup>th</sup> Cross, Malleswaram, Bangalore – 560 003.
3. The Executive Engineer, National Highways Division, Public Work, Ports & Inland Transport Department (National Highways), H.No. 11/1844, Back side SB College, Vidyanagar, Kalaburgi -585 103.
4. Guard file.



(M.K. Shambhu)

Deputy Inspector General of Forests (Central)

  
13/3/2020