



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
समन्वित क्षेत्रीय कार्यालय
INTEGRATED REGIONAL OFFICE
Kendriya Sadan, IVth Floor, E& F Wings, 17th Main Road,
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BY SPEED POST
F.No.4-KRB1301/2021-BAN/
Dated the 23rd July, 2021

285

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 4.7417 ha. (revised from 2.797 ha) of forest land in Sy.No. 33, 13, Kaudgaon village and Sy.No. 27, 154 of Kautha B Villages, Santapura Hobli and Sy.No. 01 of Vanamarapalli village, Aurad (b) Hobli, Aurad Taluk, Bidar District for widening and improvement of the existing NH-161 A (old SH-15) to 4 lane in Aurad-Bidar Section commencing from Karnataka-Maharashtra Border (KM 0.000) to Bidar (KM 45.878) in favour of Deputy General Manager & Project Director, National Highway Authority of India, PIU, Kalburgi -reg.

Sir,

I am directed to refer to the State Government's letter No. FEE 43 FLL 2021 (e) dated 01/07/2021 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 of 4.7417 ha. (revised from 2.797 ha) of forest land in Sy.No. 33, 13, Kaudgaon village and Sy.No. 27, 154 of Kautha B Villages, Santapura Hobli and Sy.No. 01 of Vanamarapalli village, Aurad (b) Hobli, Aurad Taluk, Bidar District for widening and improvement of the existing NH-161 A (old SH-15) to 4 lane in Aurad-Bidar Section commencing from Karnataka-Maharashtra Border (KM 0.000) to Bidar (KM 45.878) in favour of Deputy General Manager & Project Director, National Highway Authority of India, PIU, Kalburgi, 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 an extent of 9.4834 ha, of degraded forest land at Sy.No.38, (Deogir

Reserve Forest), Deogir village, Nirna Hobli, Humbabad Taluk, Bidar District 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 and tall plants for better survival, provision for watering and SMC works to be included 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 complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
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. 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 double the extent of degraded 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 degraded forest land within three years of grant of final approval. 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. Tree felling shall be restricted to the barest minimum possible and under confirmation from the local forest officials.

5. Suitable signages for speed regulation and animal safety will be erected along the road through forest areas.
6. The User Agency shall raise strip plantation on both sides and central verge of the road as per the IRC norms, wherever possible.
7. 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.
8. No labour camp shall be established on the forest land.
9. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
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. User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.
14. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
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 fulfilment 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.

Further, it may also be note 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,



(B.N. Anjan Kumar)

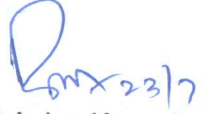
Assistant Inspector General of Forests (Central)

Page 3 of 4

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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 Deputy General Manager & Project Director, National Highway Authority of India, PIU, No. 65, Kothari Layout, Venkatesh Nagar, Kalburgi -585 103.
4. Guard file.



(B.N. Anjan Kumar)

Assistant Inspector General of Forests (Central)

OCC


23/7/2017