



सत्यमेव जयते



BY SPEED POST

F.No.4-KRB1166/2018-BAN

Dated the 22nd July, 2019

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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 1.894 ha. of forest land in Sy.No. 12 & 13 of Uttarahalli-Manavarthe (U.M) Kavalu, Bengaluru South Taluk, Bangalore Urban Division and District for rehabilitation and upgrading of the existing road to 2-lane with paved shoulders/ 4 lane configuration from Km 438.475 (proposed Km 435.250) Harohalli to 461.550 (proposed Km 458.0875) in favour of the Project Director, PIU, National Highways Authority of India, Basavanapura (Ramadevarapada) Ramanagara – reg.

Sir,

I am directed to refer to the State Government's letter No.FEE 58 FLL 2018 dated 15/11/2018 and 4/07/2019 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 17/07/2019.

After careful consideration of the proposal of the State Government and on the basis of approval of REC, I am directed to convey Central Government's in-principle approval (**Stage-I**) under Section'2' of Forest (Conservation) Act, 1980 for the diversion of 1.894 ha. of forest land in Sy.No. 12 & 13 of Uttarahalli-Manavarthe (U.M) Kavalu, Bengaluru South Taluk, Bangalore Urban Division and District for rehabilitation and upgrading of the existing road to 2-lane with paved shoulders/ 4 lane configuration from Km 438.475 (proposed Km 435.250) Harohalli to 461.550 (proposed Km 458.0875) in favour of the Project Director, PIU, National Highways Authority of India, Basavanapura (Ramadevarapada) Ramanagara 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 before Stage-II approval.
3. The cost of raising Compensatory Afforestation in degraded forest land over an extent of 4 ha. in Sy.No. 182 of Marenahalli village of Marasandra RF in Jala Hobli-3, Bengaluru, North taluk (Yelhanka), Bangalore Urban District, shall be realized from the User Agency.

4. The area identified for Compensatory Afforestation needs to be provided with Chain link fencing for better survival of plantation. A detailed model for Compensatory Afforestation inclusive of chain-link fencing, SMC works etc., may be implemented at the cost of User Agency.
5. Suitable SMC works, 200 mts on either side of the road, in forest area shall be undertaken at the cost of User Agency by the State Forest Department.
6. A Mitigation Plan as approved by the CWLW shall be implemented by the User Agency at their cost.
7. User Agency should fell trees only if it is necessary 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.
8. The State Government shall charge the Net Present Value for 1,894 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.
9. 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.
10. All the funds received from the user agency under the project shall be transferred /deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
11. The layout plan of the proposal shall not be changed without prior approval of Central Government.
12. No labour camp shall be established on the forest land.
13. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
14. 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 1.894 ha.
15. 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.
16. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
17. 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.

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. The State Government and user agency shall comply the provisions of the all

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 sincerely,

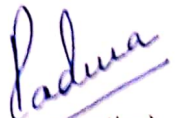


(R. Padmawathe)

Assistant Inspector General of Forests (Central)

Copy to:-

1. The Director General of Forests & Special Secretary to Govt. of India, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Agni Wing, Aliganj, Jor Bagh Road, New Delhi – 110 003.
2. The Principal Chief Conservator of Forests (HoFF), Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
3. 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, 18th Cross, Malleswaram, Bangalore – 560 003.
4. The Project Director, Project implementation Unit, National Highways Authority of India, Basavanapura, Ramadevarapada, Ramnagara – 562 128 (Karnataka).
5. Guard file.



(R. Padmawathe)

Assistant Inspector General of Forests (Central)

a/c 22/7/2019