



भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST &
CLIMATE CHANGE

समन्वित क्षेत्रीय कार्यालय
INTEGRATED REGIONAL OFFICE

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BY SPEED POST

F.No.4-KRC1359/2022-BAN/ 1346

Dated the 30th January, 2023

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 5.724414 ha. (revised from 0.58 ha) of forest land at Sy.No. 59 and 60 of Dasarahalli village, Sy.No.59 and 60 of Devarahalli village, Sy.No.118 of Halelakya village, Sy.No.112 of Hiregowja village, Lakya Hobli, Chikkamagaluru Taluk, Sy.No.302 of Brahmasamudra village, Sy.No.74, 744 of Sakkarayapattana village & Hobli and Sy.No.1 of Yemmedoddi village, Beeruru Hobli, Kadur Taluk, Chikmagalur District for road widening to 2 lane with paved shoulders from Mudigere to Kadur Section (KM 24.600 to KM 70.063) of NH-173 in favour of the Executive Engineer, National Highway Division, Public Works, Ports & Inland Water Transport Department, Hassan -reg.

Sir,

I am directed to refer to the State Government's letter No. FEE 71 FLL 2022 (e) dated 15/06/2022 and 19/12/2022 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 20/01/2023.

After careful examination of the proposal of the State Government and on the basis of the approval of the Regional Empowered Committee, **in-principle approval /Stage-I clearance** of the Central Government is hereby granted for diversion of **5.724414 ha.** of forest land at Sy.No. 59 and 60 of Dasarahalli village, Sy.No.59 and 60 of Devarahalli village, Sy.No.118 of Halelakya village, Sy.No.112 of Hiregowja village, Lakya Hobli, Chikkamagaluru Taluk, Sy.No.302 of Brahmasamudra village, Sy.No.74, 744 of Sakkarayapattana village & Hobli and Sy.No.1 of Yemmedoddi village, Beeruru Hobli, Kadur Taluk, Chikmagalur District for road widening to 2 lane with paved shoulders from Mudigere to Kadur Section (KM 24.600 to KM 70.063) of NH-173 in

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favour of the Executive Engineer, National Highway Division, Public Works, Ports & Inland Water Transport Department, Hassan, 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.
2. Equivalent extent of non-forest land identified for Compensatory Afforestation in Sy.No.27, Melinahuluvathi village, Jagara Hobli, Chikkamagaluru Taluk and District shall be transferred and mutated in favour of Forest Department. The Non-forest land for Compensatory Afforestation shall be notified as RF/PF by the State Government before the Stage II Clearance. A copy of the original notification declaring the non-forest land under Section-4 or Section-29 of the Indian Forest Act, 1927, or under the relevant section of the local Forest Act as the case may be sent, to this Ministry for information and record and also uploaded in Parivesh portal as per Ministry's guidelines dated 09/06/2022.
3. The User Agency shall transfer the cost of raising and maintaining the compensatory afforestation over equivalent extent non forest land 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 appropriate fencing with provision for anticipated cost of increase for works scheduled for subsequent years. The CA will be maintained for 10 years. Since the degraded forest land identified for planting of remaining plants in Yemmidoddi village in Sy. No. 70 (Old), Berur Hobli, Kadur Taluk, Chikkamagaluru District is also having sufficient vegetation, suitable alternative degraded forest land shall be identified for planting of requisite 1000 trees per ha. The location details of the same along with comprehensive CA scheme shall be furnished before Stage-II approval.
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 forest area diverted and CA area shall be uploaded in the e-green watch portal with all requisite details and same shall be submitted along with GPS ids.
7. The State Government shall ensure that all the rights and claims under RoFR Act are settled and FRA Certificate is certified by the competent authority before giving working permission. The State Government shall submit FRA certificate along with documentary evidence as prescribed by this Ministry in its letter No. 11-9/1998-FC dated 3rd August 2009 read with 05.07.2013 with necessary enclosures, in support thereof.
8. 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.
9. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
10. Violation of any of these conditions will amount to violation of Forest (Conservation)

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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 degraded forest land 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 / 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.
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 paths 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 shall not be used for any purpose other than that specified in the project proposal.
12. The total forest area utilized for the project shall not exceed 5.724414 ha.
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. No damage to the flora and fauna of the adjoining area shall be caused.
15. User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.
16. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
17. 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.

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18. 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.
19. 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 affected 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,



(B.N. Anjan Kumar)

Assistant Inspector General of Forests (Central)

Copy to:-

1. The Inspector General of Forests (ROHQ), 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 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.
4. The Executive Engineer, National Highway Division, Public Works, Ports & Inland Water Transport Department, Ground Floor, PWD Circle Office, Hassan -573 201, Karnataka.
5. Guard file.



(B.N. Anjan Kumar)

Assistant Inspector General of Forests (Central)

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