

Sub: - Compliance report of in- principle approval / Stage-I clearance for diversion of 28.18 ha. (Revised from 29.836 ha.) of forest land for Four lanning of existing NH-17 from Km. 475.040 to Km.611.000 in the State of Goa o BOT (Toll) basis under NHDP-III (Patradevi to Pollem section on NH-17) in favour of Executive Engineer, WD-VII (NH), Public Works Department, Panaji – Goa.-reg.

Ref: MoEF&CC, IRO, Bangalore Letter F.No.4-GOC1237/2020-BAN/789 dated 10/10/2022.

PUC is the letter dated 10/10/2022 (at pg. 276/C) from Regional office, MoEF&CC, Bangalore regarding in-principle approval (Stage-I) under Section 2 of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 28.18 ha. (Revised from 29.836 ha.) of forest land for Four lanning of existing NH-17 from Km. 475.040 to Km.611.000 in the State of Goa o BOT (Toll) basis under NHDP-III (Patradevi to Pollem section on NH-17) in favour of Executive Engineer, WD-VII (NH), Public Works Department, Panaji -Goa by stipulating certain conditions to be complied by the User Agency. The status of the compliance submitted by the User Agency (at pg. 412/C-414/C) and comments of the DCF (South) (at pg. 415/C-417/C) is indicated below.

A: Conditions which need to be complied prior handing over of forest land by the State Forest Department.

Sr. No.	Condition Stipulated	Compliance reported by the User Agency	Remarks of Deputy Conservator of Forests (South)
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.	An amount of 14,77,76,562.20 already deposited through online mode which includes Rs. 4,49,69,362.20 towards Net Present Value.	The Net Present Value for diversion of forest land over 28.18 ha area an amount of Rs.4,49,69,362.20 has been deposited by the User Agency through NEFT/ RTGS on 05/07/2024, copy enclosed as "Annexure A" . (at page 411/C).
2	The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation over double the extent of degraded forest land in the State of Karnataka 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, SMC works and appropriate	An amount of 14,77,76,562.20 already deposited through online mode which includes Rs.10,28,07,200/- towards Compensatory Afforestation.	The cost of Compensatory Afforestation over an area (28.18 ha X 2) 56.36 ha area an amount of Rs.10,28,07,200/- has been deposited by the User Agency through NEFT/ RTGS on 05/07/2024, copy enclosed as "Annexure A" . (at page 411/C).

	provision to be provided for anticipated cost escalation for the works scheduled for subsequent years. CA will be maintained for 10 years.		
3	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.	The boundary pillars are fixed by DPR consultants.	The boundary of the diverted forest land has been demarcated by User Agency by erecting four feet high reinforced cement concrete pillars at suitable intervals. Details enclosed as "Annexure-B"(at page 400/C-408/C).
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.	Agreed and amount deposited in CAMPA account through online mode.	User Agency has deposited the amount in CAMPA account through online mode (at page 411/C).
5	The compliance report shall be uploaded on e-portal (https://parivesh.nic.in/).	Noted and agreed	Noted
6	The KML file of the area diverted and CA area shall be uploaded on the e-green watch portal with all requisite details and same shall be submitted along with compliance report.	Noted and agreed	Noted
7	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	Noted and agreed	User Agency has noted and agreed to the condition No. 7


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:


Sr. No.	Condition Stipulated	Compliance reported by the User Agency	Remarks of Deputy Conservator of Forests (South)
1	Legal status of the diverted forest land shall remain unchanged.	Noted and agreed	User Agency has noted and agreed to the condition No.1.
2	The State of Goa shall ensure successful raising of Compensatory Afforestation in double the extent of degraded forest land in the State of Karnataka as proposed by the State of Goa and its maintenance. The State Government shall submit a compliance of raising Compensatory Afforestation within two years of the sanction of the project. However, the State of Goa may explore the possibility of CA land within the State of Goa before handing over the land. And if so, intimate the required details alongwith Certificate of Suitability to the IRO for amending the conditions.	Noted	Noted
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	Agreed and undertaking enclosed.	User Agency has agreed and has submitted an undertaking to this effect, copy enclosed as "Annexure C"(at page 410/C).
4	Mitigative measures to be prescribed by Chief Wildlife Warden shall be undertaken by the User Agency.	Agreed and will be undertaken.	User Agency has agreed to the condition No. 4.
5	The User Agency shall restrict the width and number of trees to be felled to a minimum required extent and number as per their technical requirements, in line with the decision by Central Empowered Committee and Hon'ble Supreme Court in similarly placed NH 4A in the State of Goa.	Agreed	User Agency has noted and agreed to the condition No. 5.
6	All statutory clearances including Environment Clearance, if applicable shall be	Noted and agreed	User Agency has noted and agreed to the condition No. 6.

	obtained before commencing the work in forest area.		
7	Suitable soil moisture conservation works needs to be taken up on either side of the road, wherever vulnerable. Further to stabilise the cutting and fillings and to prevent them from affecting the adjacent vegetation, suitable slope stabilisation measures including greening, shall be undertaken.	Agreed and will be undertaken during the execution phase of the project if required	User Agency has agreed to the condition No. 7.
8	During the construction process, strict engineering / other containment measures shall be adopted to prevent the cutting or the cut material from spilling over beyond the area diverted.	Agreed and will be adopted during the construction process	User Agency has noted and agreed to the condition No. 8.
9	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.	Agreed	User Agency has agreed to the condition No. 9.
10	No labour camp shall be established on the forest land.	Agreed and noted. Undertaking enclosed.	User Agency has agreed and has submitted and undertaking to this effect, copy enclosed as "Annexure D"(at page 409/C).
11	The total forest area utilized for the project shall not exceed 28.18 ha.	Noted and agreed	User Agency has agreed to the condition No. 11.
12	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.	Noted and agreed	User Agency has noted and agreed to the condition No. 12.
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;	Noted and agreed	User Agency has noted and agreed to the condition No. 13.

14	No damage to the flora and fauna of the adjoining area shall be caused.	Care will be taken to ensure no damages are caused	User Agency has agreed to the condition No. 14.
15	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Noted and agreed	User Agency has noted and agreed to the condition No. 15.
16	The concerned Divisional Forest Officer, will monitor and take necessary mitigative measures to ensure that there is no adverse impact on the forests in the surrounding area.	Noted	User Agency has noted and agreed for monitoring to be done by Dy. Conservator of Forest/Divisional Forest Officer.
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.	Noted and agreed	User Agency has noted and agreed to the condition No. 17.
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.	Noted and agreed	User Agency has noted and agreed to the condition No. 18.


Since, the compliance report of all the conditions stated in Stage-I approval is submitted by the User Agency (PWD) and the same is verified by the DCF (South), the file may be endorsed to State Govt. for approval and forwarding the same to the Regional office of the MoEF&CC, Bangalore for grant of Stage-II (Final) approval under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980.



25/11/2024
Albertina. Noronha
H.C


(Aditya Madanpotra, IFS)
Dy. Conservator of Forests
Monitoring & Evaluation / Link office

CECC

APC


25/10/2024
(Shrikrishna R. Gad)
L.D.C


28/10

= 77/N -

Ref. tabulated compilation of the compliance report submitted by PWD against diversion of 28.18 ha forest for A-laning of existing NH-17 under NHDP-III. (72-76/N)

It is proposed that kind approval of the state Govt. may be solicited before the proposal for stage II (final) approval is sought from the IRO, B'lore under the provisions of Law (SES) Adhiniyam, 1980.

~~PCCF~~

LC

29.10.2024

Approval of the State Govt. is solicited for submission of compliance Report to the Ministry for obtaining Stage-II clearance for diversion of 28.18 Ha. of Forest Land in favour of PWD for A-laning of existing NH-17.

LC

29.10.24.

Chief Secretary

LC
30/10/24

H.Min. (Forests)

Approved as proposed above

~~PCCF~~

Withdwn
20/11/24

LC

25.11.

CF (c)

DCM (MAE)

HC

LC
25/11.

Government of Goa	29 OCT 2024
Secretariat, Central Registry	DOC No.
Porvorim-Goa	C. R. No. 1900/03848

Office of the Forest Officer	790
Govt. of Goa	21/11/24
Secretariat, Porvorim-Goa	

Office of the PC.C.F.	2076
Inward No.	8/24
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Date	

PC.C.F. O/W No. 3180
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