



रेल विकास निगम लिमिटेड  
Rail Vikas Nigam Limited

(A Govt. of India Enterprise)

Corporate Identity No. U74999DL2003G01118633

**Compliance of Conditions stipulated in FC & Wildlife Clearance granted for Tinaighat- Castlerock-Caranzol doubling- Diversion of 10.45Ha of forest land in Devalli, Konashet & Kalambuli villages in Kyasalaraka Hobli, Joida Taluk, Uttara Kannada District.**

Ref: letter no F.No.4-KRC 1227/2020-BAN/1171 dt 04/02/2021

Sr. No.	Conditions	Compliance
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.	The NPV of Forest land including compensatory afforestation as communicated vide demand notice No.D1/GFL/Railway Doubling/CR-14/2020-21/3703 dt.31.03.21 issued by DCF/Haliyal valuing Rs.3,43,70,840/- & demand Notice No. B4/LAND/FC/Railway/CR-9/2020-21 dt. 31.03.2021 issued by DCF& Director/Kali Tiger Reserve, Dandeli valuing Rs 5,93,57,130/- has been transferred into CAMPA account No.150735934288881 of Govt. of Karnataka through online portal and the receipt for the same has also been mailed to helpdeskampa@corpbank.co.in.
2	The User agency shall transfer the cost of raising and maintaining the compensatory Afforestation over the extend of 21.0Ha of degraded forest land in Sy. No. 69 of Belvattagi village, Belavattagi Reserve Forest, Murakwad Hobli, Haliyal Taluk, Uttar Kannada 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 for better survival with provision for watering and SMC works and appropriate provision for anticipated cost increase for works scheduled for subsequent years.	Same as above.
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.	The condition put forth is agreed to.
4	All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal ( <a href="https://parivesh.nic.in/">https://parivesh.nic.in/</a> ). Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance	The fund as per demand notice has been deposited in CAMPA account of Govt. of Karnataka through PARVESH portal.

  
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5	The compliance report shall be uploaded on e-portal ( <a href="https://parivesh.nic.in">https://parivesh.nic.in</a> ).	The condition put forth is agreed to.
6	The complete compliance of FRA, 2006 shall be endured by the way prescribed certificate from the concerned District Collector.	The FRA certificate for the total area has been issued by District Collector vide Itr No. RB/FOR/CR-E174674/20-21 Dt 15.03.2021. A copy of same is enclosed herewith.
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	The boundary of diverted forest land on ground has been demarcated by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number forward and back bearing distance from pillar to pillar and GPS coordinate.
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	The condition put forth is agreed to.

**B: Condition which need to be strictly complied on field after handing over of forest land to the user agency by the state government but the compliance in form of undertaking shall be submitted prior to Stage II approval:**

Sr. No.	Conditions	Compliance
1	Legal status of the diverted private forest land shall remain unchanged.	The legal status of the forest land will be unchanged and continue as a forest land even after the diversion.
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 concerned 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.	Railways have already deposited the required amount towards compensatory afforestation as assessed by Dy. Conservator of Forest, Haliyal valuing for Rs.3,34,53,000/- for a total area of 21 Ha.
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	It is undertaken that the additional amount of NPV, if so determined in the final decision of the Hon'ble Supreme Court of India, shall be paid by Railways.

  
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4	All statutory clearances including Environment Clearance: if applicable shall be obtained before commencing the work in forest area	It is agreed that all statutory clearances if applicable shall be obtained before commencing the work in Forest area.
5	Tree felling shall be restricted to the barest minimum possible and under confirmation from the local forest officials.	The condition put forth is agreed to.
6	The conditions stipulated by the standing committee of National Board for wildlife and Chief Wildlife Warden shall be strictly complied with.	The condition put forth is agreed to and the compliance is annexed herewith as Annex. I & Annex. II
7	The mitigation measures as proposed by Wildlife Institute of India in Tinaighat to Caranzol stretch of forest needs to be strictly adhered to.	The condition put forth is agreed to and the compliance is annexed herewith as Annex. III
8	Suitable soil moisture conservation works needs to be taken up on either side of the track, wherever vulnerable.	The condition put forth is agreed to.
9	To address the apprehensions of the people as well as to prevent spillage of ore, coal, etc., all the rakes of the freight trains shall have a spill proof / sealed cover, which is presently absent.	It is agreed that all rakes of freight trains carrying coal shall be provided with sealed cover
10	Further, provision for long term monitoring of the impact of the project, the effectiveness of the mitigation measures undertaken and analysis of course corrections required if any should be part of the Management Plan to ensure long time well being of the forests & wildlife.	The condition put forth is agreed to.
11	The Railway authorities shall issue standing instructions to its staff and officers concerned to closely co-ordinate and co-operate with the local State Forest Department officials during and after the project implementation	The condition put forth is agreed to.
12	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.	The condition put forth is agreed to.
13	No labour camp shall be established on the forest land	The condition put forth is agreed to.
14	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.	The condition put forth is agreed to.
15	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;	It is agreed that the diverted forest land shall not be transferred to any other agency, department & person under any circumstances without prior approval of Central Govt.

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16	No damage to the flora and fauna of the adjoining area shall be caused.	The condition put forth is agreed to.
17	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	The condition put forth is agreed to.
18	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.	The condition put forth is agreed to.
19	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.	The condition put forth is agreed to.
20	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.	The condition put forth is agreed to.

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**Annex .I Conditions imposed by Standing Committee as per Minutes of Meeting of 60th SCNBWL Meeting.**

Sr. No.	Conditions	Compliance
1	No work shall be done before sunrise and after sunset in the project area.	The condition put forth is agreed to.
2	The user agency and project personnel will comply with the Provisions of the Wildlife (Protection) Act, 1972.	The condition put forth is agreed to.
3	The Speed limit of the trains shall be followed strictly, upto 35 km / h during night and 40 km/h during day time	The condition put forth is agreed to.
4	The muck generated during the tunnel excavation shall be disposed out of the sanctuary area without endangering the flora and fauna.	Major quantity of muck will be utilized in the construction of proposed doubling line. Rest will be transported outside.
5	The annual compliance certificate on the stipulated conditions should be submitted by the project proponent to the State Chief Wildlife Warden and an annual Compliance certificate shall be submitted by the State Chief Wildlife Warden to Government of India.	The condition put forth is agreed to.

  
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**Annex-II Conditions Imposed by PCCF Karnataka vide Lt No. A5(2), GFL.CR-19/2012-13 dt. 18/24-12-2019**

Sr. No.	Conditions	Compliance
1	The legal status of forest land shall remain unchanged and it shall continue to be the forest land.	The legal status of the forest land will be unchanged and continue as a forest land even after the diversion.
2	The User Agency shall pay the applicable Net Present Value (NPV). Compensatory Afforestation (CA) charges, cost of extraction of trees (if required in future), land lease rent and any other levies as per the conditions of approval.	The NPV of Forest land including compensatory afforestation as communicated vide demand notice No.D1/GFL/Railway Doubling/CR-14/2020-21/3703 dt.31.03.21 issued by DCF/ Haliyal valuing Rs.3,43,70,840/- & demand Notice No. B4/LAND/FC/Railway/CR-9/2020-21 dt. 31.03.2021 issued by DCF& Director/Kali Tiger Reserve, Dandeli valuing Rs 5,93,57,130/- has been transferred into CAMPA account No.150735934288881 of Govt. of Karnataka through online portal and the receipt for the same has also been mailed to helpdeskcompa@corpbank.co.in.
3	The User Agency shall demarcate the lease area in the manner specified at the time of approval at its own cost.	The demarcation of Boundary pillar has already been done in consultation with Range Office/Tinaighat & Castlerock.
4	The User Agency shall take appropriate measures to avoid accidental deaths of wild animals on the railway track in consultation with the jurisdictional Deputy Conservator of Forests Conservator of Forests at the project cost.	It is agreed that required precautionary measures shall be followed during execution of the doubling work.
5	The lessee shall not sub-lease, mortgage & hypothecate the forest area.	The condition put forth is agreed to.
6	The leased out area should be used for the purpose for which it is granted. In case, the land is not used for the stipulated purpose within two years or when it is no longer needed for the stipulated purpose, the area would stand resumed to the Forest Department	The condition put forth is agreed to.
7	The application for renewal of the lease in the prescribed form and manner shall be submitted at least six months prior to the expiry of forest lease. In case, no renewal is sought, the Lessee shall hand over the lease	The condition put forth is agreed to.

  
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8	No residential or commercial buildings shall be permitted in the forest area proposed for diversion	The condition put forth is agreed to.
9	No crushing / breaking of stones or labour camp shall be allowed inside forest area and all waste/ debris generated shall be scientifically disposed off outside the forest area.	The condition put forth is agreed to. It is declared that all waste/debris generated shall be scientifically disposed off outside forest area.
10	Any damage to forest area because of implementation of the project shall be compensated by the Lessee. The extent of damage shall be assessed by the jurisdictional Deputy Conservator of Forests/ Conservator of Forests/ Chief Conservator of Forests.	It is undertaken that any damage to forest area due to implementation of the project duly assessed by the jurisdiction Dy. Conservator of Forest/Chief Conservator of Forest shall be compensated.
11	The Lessee shall ensure that no avoidable harm is caused to the fauna and flora in and around the proposed area.	It is undertaken that no avoidable harm will be caused to the flora and fauna in and around the proposed area.
12	No change in Land Use Plan shall be done unless prior approval of Government of India under FC Act is obtained.	It is undertaken that no change in land use plan shall be done without prior approval of Govt. of India under FCA.
13	In case, any violation of the provisions of the Karnataka Forest Act, 1963 & Rules, 1969 or other relevant Acts/Rules is reported during the lease period, the lease will be liable for forfeiture under Section 82 of Karnataka Forest Act, 1963. The Chief Conservator of Forests and or Deputy Conservator of Forests concerned are authorized to take necessary action in this regard.	The condition put forth is agreed to.
14	The approval under the Forest (Conservation) Act, 1980 is subject to any other clearances necessary under the prevailing statutes	The condition put forth is agreed to.
15	The User Agency shall also abide by other conditions those may be imposed by the Government of India. Government of Karnataka and Principal Chief Conservator of Forests (Head of Forest Force) before or after the approval.	The condition put forth is agreed to.

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**Annex. III Conditions imposed by WII which need to be complied prior/during construction for handing over of forest land by the State Forest Department.**

Sr. No.	Conditions	Compliance
1.	No construction debris is to be dumped in streams and natural drainages. Water from these natural sources should not be used for construction purposes	The condition put forth is agreed to.
2.	To discourage arboreal animals from accessing the electric poles (to be constructed for electrification purposes), all electric poles should be within the fence along the railway line.	The condition put forth is agreed to.
3.	The divisions between a set of two or more box culverts and underpasses are to be of pillar-type instead of wall-type (Figure 46).	The condition put forth is agreed to.
4.	Slope stabilisation should be done by re-vegetating the slopes with native species, and/or by pitching.	The condition put forth is agreed to.
5.	Major on-site construction activities may be avoided during monsoon season, that is the breeding period of herpetofauna. This would significantly lower the disturbance to herpetofauna and their habitats	The condition put forth is agreed to.
6.	On-site construction activities should include provisions of noise-reduction measures such as noise attenuation barriers and noise-reduction devices to reduce noise from machinery, especially in the zones identified as priority zones for faunal presence.	The condition put forth is agreed to.
7.	Modification of proposed and existing structures in order to facilitate the movement of wildlife animals.	The condition put forth is agreed to.
8.	Fencing is to be installed along the entire stretch of the railway line, except for downward or upward slope of more than 80 degrees on either side.	The condition put forth is agreed to.
9.	Canopy bridges for arboreal animals is to be provided at regular intervals of 1 km all along the railway track (except at places near railway stations, road crossings, over bridges, tunnels, stretches near tunnels where the gap between parallel tracks may be more than 15 m).	The condition put forth is agreed to.
10.	Ledges/shelves along the inner walls of all crossing and drainage structures are to be constructed for use by small mammals.	The condition put forth is agreed to.
11.	In locations with suitable topography i.e., appropriate height (above 7 m) on either side, overpasses are proposed.	The condition put forth is agreed to.
12.	Early warning systems should be installed at these sites at appropriate locations. . Cattle guards are to be provided at all places where fencing ends viz., road level crossing.	The condition put forth is agreed to.

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