

SOUTH WESTERN RAILWAY

Office of the
Chief Administrative Officer (Construction)
#18, Basaveshwara (Millers) Road
Bangalore – 560 046
Email: cecnnswr@gmail.com, Mob: 9731665254
Dt. 30.01.2023

No. W.271/CN/BNC/SMET-RNR NL

Principal Chief Conservator of Forests
(Head of Forest Force)
Aranya Bhavan, Malleshwaram
Bangalore – 560 003

Sir,

Sub: Shimoga-Shikaripura-Ranibennur New BG Line Project – Diversion of 47.91 Hectares of forest land in 13 villages of Shivamogga & Davanagere districts (Shivamogga & Sagar Forest Divisions) for laying of New Broad Gauge Line between Shivamogga & Ranibennur, in favour of Chief Engineer/Construction, South Western Railway, Bangalore Cantonment – reg.

Ref: Ministry of Environment, Forest & Climate Change letter No. F. No. 4-KRA/1364/2022/BAN/843 Dt. 26/27.10.2022

(A) Conditions, which need to be complied prior to handing over the forest land by State Forest Department

(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

With reference to the above subject & reference, the following remarks/compliance to the conditions are furnished towards diversion of the subject forest land for the purpose of laying of New Broad Gauge Railway line between Shivamogga & Ranibennur.

(A) Conditions, which need to be complied prior to handing over the forest land by State Forest Department

Sl. No.	Conditions	Compliance
1	The User Agency shall transfer online, the New Present Value (NPV) of the forest land being diverted under this proposal, as per the guidelines issued by the Ministry vide letter No.5-3/ 2011-FC (Vol-I) Dt. 06.01.2022. The requisite funds shall be transferred through online portal into CAMPA account of the State concerned.	The amount of Rs. 23,37,77,590 (Rupees Twenty Three Crore Thirty Seven Lakh Seventy Seven Thousand Five Hundred Ninety) towards NPV (Rs. 5,78,52,070/-) & CA (Rs. 17,59,25,520/-) for 47.91 Hectares of forest land of 13 villages in Shivamogga & Davanagere Districts (Shivamogga & Sagara Forest Divisions) has been deposited to CAMPA account on 02.01.2023.
2	The User Agency shall transfer the cost of raising and maintaining the Compensatory	The amount of Rs. 23,37,77,590/- (Rupees Twenty Three Crore Thirty Seven Lakh

	Afforestation over an extent of 95.82 Hectares of degraded forest land (i.e., 77.74 Hectares in Sy. No. 11 of Shidiginhala/Gaggavanasara S.F. Hosur Hobli, Shikaripura Taluk, Sagar Forest Division and 18.08 Hectares in Sy. No. 81, Mandagatta Village, Kumshi Hobli, Shivamogga Forest Division) 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 degraded 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.	Seventy Seven Thousand Five Hundred Ninety) towards NPV (Rs. 5,78,52,070/-) & CA (Rs. 17,59,25,520/-) for 47.91 Hectares. of forest land of 13 villages in Shivamogga & Davanagere Districts (Shivamogga & Sagara Forest Divisions) has been deposited to CAMPA account on 02.01.2023
3	About 2.12 Hectares of CA land was found to be already planted and hence the State Government shall arrange and intimate additional degraded forest land to that extent for taking up plantation including KML file, site suitability certificate, etc before Stage-II.	Will be complied by respective DCFs of Forest Department.
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.	Noted and will be complied. The amount towards cost of felling of trees have been deposited as below DCF/Shivamogga: Rs.3,83,827/- (deposited through RBI cheque No. 073140 Dt. 27.01.2023) DCF/Sagara: Rs. 10,67,000/- (deposited through RBI cheque No. 073139 Dt. 27.01.2023) APCCE/Director (Forests) The Mysore Paper Mills Ltd, Bhadravathi: Rs.20,30,000/- (deposited through NEFT on 27.01.2023)
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 on the Stage-I clearance.	Noted and being followed.
6	The KML file of the forest area diverted and CA area shall be uploaded in the e-green watch portal with all the requisite details and same shall be submitted along with compliance report.	Will be complied by respective DCFs of Forest Department.
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	Noted. FRA certificate in FORM-I (Linear Project) as per Annexure-II of Forest Guidelines have been issued by respective District Commissioners as mentioned below.

	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 Dt. 03.08.2009 read with 05.07.2013 with necessary enclosures, in support thereof.	DC/Shivamogga on 02.11.2022 DC/Davanagere on 21.10.2022 and the same has been submitted in original to DCF/Shivamogga & DCF/Sagar on 04.11.2022 & 05.11.2022 respectively.
8	The compliance report shall be uploaded on e-portal (https:// parivesh.nic.in/).	Will be uploaded.
9	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 Officers.	Noted and will be ensured before execution of any work in forest area.
10	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 Dt. 28.03.2019.	Noted.

(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

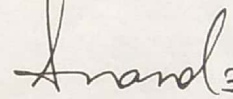
Sl. No.	Conditions	Compliance
1	Legal status of the diverted forest land shall remain unchanged.	The legal status of forest land shall be maintained unchanged.
2	Compensatory Afforestation shall be raised over double the extent of degraded forest land within three years from the date of Stage-II Clearance and maintained thereafter by the State Forest Department at the cost of the User Agency and at least 1000 plants per hectare shall be planed 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.	Noted, and amount towards CA (Rs. 17,59,25,520/-) has been deposited by Railways.
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 the India.	Noted and will abide the final decision of Hon'ble Supreme Court of India, for any revision in the NPV value.

4	Tree felling shall be restricted to the barest minimum possible and under confirmation from the local forest officials.	Noted and will be followed.
5	User Agency shall implement the mitigation measures approved by the Chief Wildlife Warden, Karnataka including recent directions of MoEF&CC and Ministry of Railways on sensitive stretches to mitigate rail/wildlife conflict.	Noted.
6	Speed regulating signage will be erected along the railway line at regular intervals in the Forest Areas.	Noted and will be followed.
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.	Noted
8	No labour camp shall be established on the forest land.	Noted
9	No additional or new paths will be constructed inside the forest area for transportation of construction materials for execution of the project work.	Noted
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.	Noted
11	The forest land shall not be used for any purpose other than that specified in the project proposal.	Noted
12	The total forest area utilized for the project shall not exceed 47.91 Hectares	Noted
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
14	No damage to the flora and fauna of the adjoining area shall be caused.	Noted
15	User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.	Noted
16	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	Noted
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	Noted and Annual Compliance Report will be submitted.

	Office, Bengaluru by the end of March every year.	
18	The User Agency shall comply with all the provisions of all the 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 shall abide by all the Acts, Rules, Regulations, Guidelines, NGT Order(s) and Hon'ble Court Order(s)
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 & Wildlife.	Noted and the same will be ensured.

It is therefore requested to kindly instruct the concerned officials to process for Stage-II clearance for the subject forest land in favour of Railway Department for early commencement of the works.

Yours faithfully,

 3.0.01.23

(ANAND BHARTI)

Chief Engineer/Constn./III

For Chief Administrative Officer/Constn.

SW Rly/B'lore Cantt.

C/- DyCE/CN/MYS – for information

Deputy Conservator of Forests, Shivamogga – for information.

Deputy Conservator of Forests, Sagar – for information

APCCE & Director (Forests), The Mysore Paper Mills Ltd, Bhadravathi – for information



SOUTH WESTERN RAILWAY

Office of the
Deputy Chief Engineer/Construction
Yadavagiri, Mysuru-570020

No.W.496/SMET-RNR-03 SMET

Date: 08.02.2023

TO WHOM SO EVER IT MAY CONCERN

In compliance to the In-Principle approval / Stage – I clearance of the Central Government granted for the diversion of 47.91 hectares of forest land in 13 villages in Shivamogga and Davanagere districts (Shivamogga and Sagara Forest Divisions) for construction of Shivamogga – Shikaripura New BG Railway Line in favour of Deputy Chief Engineer, South Western Railway Construction, Mysuru an undertaking is hereby submitted that “ **South Western Railway will pay the additional amount of NPV, if so determined, as per the final decision of the Central Government of India and Hon’ble Supreme Court of India**”



(Gooten C.M.K.)
Deputy Chief Engineer
Construction, Mysuru
South Western Railway
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Deputy Chief Engineer/Construction
Yadavagiri, Mysuru-570020

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