



भारत सरकार  
GOVERNMENT OF INDIA  
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय  
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE  
समन्वित क्षेत्रीय कार्यालय  
INTEGRATED REGIONAL OFFICE  
Kendriya Sadan, IVth Floor, E& F Wings, 17<sup>th</sup> Main Road,  
IInd Block, Koramangala, Bangalore - 560 034.  
Tel.No.080-25635905, E.Mail: rosz.bng-mef@nic.in



**BY SPEED POST**

F.No.4-KRC1227/2020-BAN/ 1171  
Dated the 4<sup>th</sup> February, 2021

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 10.45 ha. of forest land in Devalli, Kalambuli and Konashet villages in Kyasalaraka Hobli, Jodi Taluk, Uttara Kannada District (Haliyal Forest Division and Kali Tiger Reserve) for doubling of Tinaighat-Castlerock-Carzon Railway Lane (Southern Western Railways) in favour of Chief Engineer (Construction), Club Road, Keshwapur, Hubballi, Dharwad District - reg.

Sir,

I am directed to refer to the State Government's letter No. FEE 02 FLL 2019 dated 28/01/2020 and 30/01/2021 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 27/01/2021.

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 10.45 ha. of forest land in Devalli, Kalambuli and Konashet villages in Kyasalaraka Hobli, Jodi Taluk, Uttara Kannada District (Haliyal Forest Division and Kali Tiger Reserve) for doubling of Tinaighat-Castlerock-Carzon Railway Lane (Southern Western Railways) in favour of Chief Engineer (Construction), Club Road, Keshwapur, Hubballi, Dharwad District, subject to fulfillment of 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 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.
2. The User Agency shall transfer the cost of raising and maintaining the Compensatory Afforestation over an extent of 21.0 ha. of degraded forest land in Sy.No. 69 of Belavattagi village, Belavattagi Reserve Forest, Murakwad Hobli, Haliyal Taluk, Uttara Kannada District at the current wage rate in consultation with State Forest Department in the

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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.

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.
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.
5. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
6. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
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.
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.

**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 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 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.
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. All statutory clearances including Environment Clearance, 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.
6. The conditions stipulated by the Standing Committee of National Board for Wildlife and Chief Wildlife Warden shall be strictly complied with.
7. The mitigation measures as proposed by Wildlife Institute of India in Tinaighat to Caranzol stretch of the forests needs to be strictly adhered to.
8. Suitable soil moisture conservation works needs to be taken up on either side of the track, wherever vulnerable.
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.
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.
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.
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.
13. No labour camp shall be established on the forest land.
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.
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;
16. No damage to the flora and fauna of the adjoining area shall be caused.
17. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
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.
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.





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.

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. The User Agency shall take up the work as per the Guidelines in force and after ensuring that all necessary clearances for the entire stretch are in place.

Yours faithfully,

  
(M.K. Shambhu)

Deputy Inspector General of Forests (Central)

Copy to:-

1. The Principal Chief Conservator of Forests (HoFF), Forests Department, Govt. of Karnataka, Aranya Bhavan, 18<sup>th</sup> Cross, Malleswaram, Bangalore – 560 003.
2. 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, 18<sup>th</sup> Cross, Malleswaram, Bangalore – 560 003.
3. The Chief Engineer (Construction), South Western Railways, Club Road, Keshwapur, Hubballi, Dharwad -580 020..
4. Guard file.

  
(M.K. Shambhu)

Deputy Inspector General of Forests (Central)

 