



मत्यमैव जयते

भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
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BY SPEED POST

F.No.4-GOC1237/2020-BAN/
Dated the 10th October, 2022. 789

To,

The Principal Secretary (Forests),
Government of Goa,
Secretariat Annexe,
Secretariat, Porvorim,
Goa -403 521.

Subject: Diversion of 28.18 ha (revised from 29.836 ha.) of forest land for four laning of existing NH -17 from km 475.040 to km 611.000 in the State of Goa on BOT (Toll) basis under NHDP-III (Patradevi to Pollem Section) in South Goa Division in favour of the Executive Engineer, WD Division VII (NH), Public Works Department, Panaji, Goa –reg.

Sir,

I am directed to refer to the State Government's letter No. 6-863-2020-21-FD/34 dated 20.04.2020, letter No.6-863-2020-21-FD/3261 dated 10/11/2020 and letter No.6-863-2022-23-FD/2534 dated 06.09.2022 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 28.09.2022.

After careful consideration 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 **28.18 ha** (revised from 29.836 ha.) of forest land for four laning of existing NH -17 from km 475.040 to km 611.000 in the State of Goa on BOT (Toll) basis under NHDP-III (Patradevi to Pollem Section) in South Goa Division in favour of the Executive Engineer, WD Division VII (NH), Public Works Department, Panaji, Goa, 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

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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 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 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.
 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 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.
 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.
- 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. 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.

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. Mitigative measures to be prescribed by Chief Wildlife Warden shall be undertaken by the User Agency.
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.
6. All statutory clearances including Environment Clearance, if applicable shall be 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.
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.
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.
10. No labour camp shall be established on the forest land.
11. The total forest area utilized for the project shall not exceed 28.18 ha.
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.
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. The layout plan of the proposal shall not be changed without the prior approval of

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the Central Government.

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.
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.
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.

After receipt of compliance report on fulfillment 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. Working permission, if any issued, shall be intimated to IRO, Bengaluru. Transfer of forest land shall not be effected 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,


(M.K. Shambhu)

etc Deputy Inspector General of Forests (Central)

Copy to:-

1. The Inspector General of Forests(RoHQ), Ministry of Environment, Forest & Climate Change, Indra Paryavaran Bhawan, Aliganj, Jor Bagh Road, New Delhi – 110 003.
2. The Principal Chief Conservator of Forests (HoFF), Forest Department, Government of Goa, Panaji (GOA), PIN- 403001.
3. The Deputy Conservator of Forests (Monitoring & Evaluation)/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forest Department, Government of Goa, Panaji (GOA), PIN- 403001.
4. The Executive Engineer, WD Division VII (NH), Public Works Department, 13-A, C Type Government Quarters, Patto, Panaji, Goa 403 001.
5. Guard file.


(M.K. Shambhu)

etc Deputy Inspector General of Forests (Central)

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10/10/2022