



भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE
Regional Office (Southern Zone),
Kendriya Sadan, IVth Floor, E& F Wings, 17th Main Road,
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BY SPEED POST

F. No.4-KRB1212/2019-BAN/1607
Dated the 11th February, 2020

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 3.155 ha. of forest land in Sy.No. 130, 131 & 132 of Anagodu village, and Sy.No. 43, 44 & 45 of Hulupinakatte village, Anagodu Hobli, Davanagere Taluk and District for rehabilitation and up-gradation of existing 4/6 lane to six laning with service road from Chitradurga to Davanagere Section of NH-48 (old NH-04) in favour of the Deputy General Manager (T) and Project Director, National Highways Authority of India, Project Implementation Unit, Chitradurga.

Sir,

I am directed to refer to the State Government's letter No.FEE 12 FLL 2019 dated 15/10/2019 and 03/02/2020 seeking prior approval of the Central Government under Section '2' of the Forest (Conservation) Act, 1980 for the above project.

After careful examination of the proposal of the State Government, the Central Government hereby conveys the in-principle approval (**Stage-I**) for diversion of 3.155 ha. of forest land in Sy.No. 130, 131 & 132 of Anagodu village, and Sy.No. 43, 44 & 45 of Hulupinakatte village, Anagodu Hobli, Davanagere Taluk and District for rehabilitation and up-gradation of existing 4/6 lane to six laning with service road from Chitradurga to Davanagere Section of NH-48 (old NH-04) in favour of the Deputy General Manager (T) and Project Director, National Highways Authority of India, Project Implementation Unit, Chitradurga, subject to fulfillment of the following conditions:-

1. The legal status of forest land shall remain unchanged.
2. The User Agency shall obtain Consent from Regional ESZ Monitoring Committee of the Jogimatti Wildlife Sanctuary, if notified or else submit a Wildlife Mitigation Plan duly approved by Chief Wildlife Warden, Karnataka which is to be implemented at the cost of User Agency, prior to commencement of work.
3. The boundary of the forest land to be diverted shall be suitably demarcated on ground at the project cost as per the directions of concerned Divisional Forest Officer before Stage-II approval.
4. The cost of raising Compensatory Afforestation in double the extent of degraded forest land in Sy.No. 133 of Anagodu village, Anagodu Hobli, Davanagere Taluk and District at the prevailing wage rates as per Compensatory Afforestation Scheme and the cost of survey, demarcation and erection of cement pillars if, required on CA land shall be

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deposited in advance with the Forest Department by the User Agency. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

5. The State Government shall charge the Net Present Value for 3.155 ha. of forest area to be diverted under this proposal from the user agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No.202/1995.
6. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the user agency. The user agency shall furnish an undertaking to this effect.
7. 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.
8. All the funds received from the user agency under the project shall be transferred /deposited to CAMPA fund only through (<https://parivesh.nic.in/>).
9. State Government shall complete settlement of rights, in term of the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006, if any, on the forest land to be diverted and submit the documentary evidence as prescribed by this Ministry in it's letter No. 11-9/1998-FC dated 3rd August 2009 read with 05.07.2003, in support thereof.
10. User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.
11. The layout plan of the proposal shall not be changed without prior approval of Central Government.
12. No labour camp shall be established on the forest land.
13. Sufficient firewood, preferably alternate fuels, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or Forest Development Corporation or any other legal source of alternate fuel.
14. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
15. The forest land shall not be used for any purpose other than i.e. specified in the project proposal. The total forest area utilized for the project shall not exceed 3.155 ha.
16. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Government of India.
17. 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.

18. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
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 and Wildlife.
20. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guideline F.No.11-42/2017-FC dated 29/01/2018.
21. The State Government and user agency shall comply the provisions of the all Acts, Rules, Regulations, Guidelines, NGT order & Hon'ble Court Order (s) pertaining to this project, if any, for the time being in force, as applicable to the project.

After receipt of the compliance report on the above conditions, the proposal will be considered for final approval. This in-principle approval shall be valid for a period of 5 years. The forest land shall not be transferred to the User Agency prior to the issue of final approval.


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, 18th Cross, Malleswaram, Bangalore – 560 003.
2. The Additional Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
3. The Project Director, Project implementation Unit, National Highways Authority of India, Near JMIT, NH-48 (Old NH-4), Km 202, Chitradurga -577 502 (Karnataka).
4. Guard file.


(M.K. Shambhu)

Deputy Inspector General of Forests (Central)

