



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-KRB1347/2022-BAN/ 1648

Dated the 24th March, 2022

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 0.06 hectare of forest land in Sy.No.14, Benavalli Village, Shivamogga District (Shivamogga Forest Division) for construction of approach road to ROB & Birur-Talguppa section grade separator at Km 105/100-200 & Km 133/700-800 in favour of the Assistant Divisional Engineer, South Western Railway, Shivamogga -reg.

Sir,

I am directed to refer to the State Government's letter No. FEE 25 FLL 2022 (e) dated 04/03/2022 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, **in-principle approval /Stage-I clearance** of the Central Government is hereby granted for diversion of 0.06 hectare of forest land in Sy.No.14, Benavalli Village, Shivamogga District (Shivamogga Forest Division) for construction of approach road to ROB & Birur-Talguppa section grade separator at Km 105/100-200 & Km 133/700-800 in favour of the Assistant Divisional Engineer, South Western Railway, Shivamogga, 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 transferred through online portal into CAMPA account of the State Concerned.
2. Funds received from the user agency under the project shall be

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- 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.
3. The KML file of the area diverted shall be uploaded on the e-green watch portal with all requisite details and same shall be submitted along with compliance report.
 4. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
 5. 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 Officer.
 6. The existing road from Masaruru side through the forest to the Railway level crossing shall be closed and the said area shall be planted with tall trees on the stretch of the said road at the cost of the User Agency.
 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. 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.
3. User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.
4. 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.
5. The total forest area utilized for the project shall not exceed 0.06 ha.
6. No labour camp shall be established on the forest land.
7. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
8. The forest land shall not be used for any purpose other than that specified in the project proposal.
9. 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.
10. No damage to the flora and fauna of the adjoining area shall be caused.
11. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
12. 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.
13. 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 and
14. The user agency shall comply 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. Working permission, if any issued, shall be intimated to IRO, Bengaluru. Transfer of forest land shall not be affected 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,


(B.N. Anjan Kumar)

Assistant 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 Principal Chief Conservator of Forests (FC) /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 Assistant Divisional Engineer, South Western Railway, Near Shivamogga Railway Station, Shivamogga -577 201. Karnataka.
4. Guard file.


(B.N. Anjan Kumar)

Assistant Inspector General of Forests (Central)

O/c


24/2/2022