



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST & CLIMATE CHANGE
समन्वित क्षेत्रीय कार्यालय
INTEGRATED REGIONAL OFFICE
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BY SPEED POST

F. No.4-KRB1212/2019-BAN/
Dated the 8th February, 2023

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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 -reg.

Sir,

Please refer to the State Government's letters No.FEE 12 FLL 2019 dated 15/10/2019 and 03/02/2020 seeking prior approval of the Central Government in accordance with Section'2' of Forest (Conservation) Act, 1980 in respect of the above project. The in-principle (Stage-I) approval to the project was accorded by the Central Government vide letter of even number dated 11th February, 2020. The State Government vide letters No.FEE 12 FLL 2019 (e) dated 26/08/2022, 14/11/2022 and 04/01/2023 have reported compliance to the conditions stipulated by the Central Government in the in-principle approval.

After careful consideration of the proposal of the State Government, I am directed to convey Central Government's final approval **(Stage-II)** under Section'2' of Forest (Conservation) Act, 1980 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 the following conditions:-

A. Conditions which need to be complied prior to issue of final approval by State Government and handing over of forest land to User Agency:

1. The State Government shall upload the KML file of the forest area diverted and CA area on the e-green watch portal with all requisite details.

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2. Compliance to the orders of Hon'ble Supreme Court of India dated 03/06/2022 in W.P.No.202 of 1995 in I.A.No.1000 of 2003 with other connected I.A.Nos. and other provisions related ESZ to protected areas shall be strictly adhered to, and approvals, if any, required, shall be obtained.

B. Conditions which need to be complied after handing over of forest land to the User Agency by the State Government:

1. The legal status of forest land shall remain unchanged.
2. 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.
3. Compensatory Afforestation shall be raised over double the extent of degraded forest land in Sy.No. 133 of Anagodu village, Anagodu Hobli, Davanagere Taluk and District 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 maintenance.
4. The 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 User Agency and the same shall be transferred to the designated Adhoc CAMPA Account.
5. With regard to the Wildlife Mitigation Plan approved by the PCCF (Wildlife) and Chief Wildlife Warden, the User Agency shall implement and comply with those conditions in consonance with the current status of the work, in consultation with the local Forest Department Officers.
6. Tree felling shall be restricted to the barest minimum possible and under confirmation from the local forest officials.
7. 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.
8. The User agency shall obtain the Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable.
9. The layout plan of the proposal shall not be changed without prior approval of Central Government.
10. No labour camp shall be established on the forest land.
11. No damage to the flora and fauna of the adjoining area shall be caused.
12. No additional or new permanent paths will be constructed inside the forest area for transportation of construction materials for execution of the project work.



13. The forest area shall be used for the purpose for which it is granted. The total forest area utilized for the project shall not exceed 3.155 ha.
14. 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.
15. 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.
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. 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.
19. 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.
20. 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.

Yours faithfully,

(M.K.Shambhu)

Deputy Inspector General of Forests (Central)

Copy to:-

1. The Inspector General of Forests (ROHQ Division), Govt. of India, Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhavan, Agni Wing, Aliganj, Jor Bagh Road, New Delhi – 110 003.
2. The Principal Chief Conservator of Forests (HoFF), Forests Department, Govt. of Karnataka, Aranya Bhavan, 18th Cross, Malleswaram, Bangalore – 560 003.
3. 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.



4. The Project Director, Project implementation Unit, National Highways Authority of India, Near JMIT, NH-48 (Old NH-4), Km 202, Chitradurga -577 502 (Karnataka).

5. Guard file.

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(M.K.Shambhu)

Deputy Inspector General of Forests (Central)

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8/2/23