



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-KRA1364/2022-BAN/

Dated the 16th March, 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 47.91 ha. of forest land in 13 villages in Shivamogga and Davanagere Districts (Shivamogga and Sagara Forest Divisions) for construction of Shivamogga - Shikaripura New BG Railway line in favour of the Deputy Chief Engineer, South Western Railway Construction, Mysuru -reg.

Sir,

Please refer to the State Government's letters No. FEE 83 FLL 2022 (e) dated 27/06/2022 and 13/10/2022 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 27th October, 2022. The State Government vide letter No.FEE 83 FLL 2022 (e) dated 03/03/2023 has 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 **47.91 ha.** of forest land in 13 villages in Shivamogga and Davanagere Districts (Shivamogga and Sagara Forest Divisions) for construction of Shivamogga - Shikaripura New BG Railway line in favour of the Deputy Chief Engineer, South Western Railway Construction, Mysuru, subject to the following conditions:-

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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 conditions required to be adhered under Forests Right Act, 2006 as per the guidelines issued under Forest (Conservation) Act, 1980 shall be strictly complied with.
2. The State Government shall upload the KML file of the forest area diverted, CA area, SMC works and Mitigation measures on the e-green watch portal with all requisite details.

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 diverted forest land 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 an extent of 95.82 ha. of degraded forest land (i.e. 77.74 ha. in Sy.No. 1 of Shidiginhala /Gaggavanasara S.F, Hosur Hobli, Shikaripura Taluk, Sagar Forest Division and 18.08 ha. in Sy.No.81, Mandagatta Minor Forest, Mandagatta village, Kumshi Hobli, Shivamoga Forest Division), 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.
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. Tree felling shall be restricted to the barest minimum possible and under confirmation from the local forest officials.
6. User agency shall implement the mitigation measures approved by Chief Wildlife Warden, Karnataka including recent direction MoEF&CC and Ministry of Railways on sensitive stretches to mitigate rail/wildlife conflict.
7. Speed regulating signage will be erected along the railway line at regular intervals in the Forest Areas.
8. 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.
9. No labour camp shall be established on the forest land.
10. No additional or new paths will be constructed inside the forest area for transportation of construction materials for execution of the project work.
11. 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.
12. The forest land shall not be used for any purpose other than that specified in the project proposal.
13. The total forest area utilized for the project shall not exceed 47.91 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. No damage to the flora and fauna of the adjoining area shall be caused.

16. User Agency shall obtain the Environmental Clearance as per the provisions of the Environment (Protection) Act, 1986, if applicable.
17. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
18. 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.
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 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.
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.

Yours faithfully,

(B.N.Anjan Kumar)

Assistant 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 Chief Administrative Officer, South Western Railway, No. 18, Millers Road, Benson Town, Bengaluru Cantonment, Bengaluru -560 046.
5. Guard file.

Yours faithfully,

(B.N.Anjan Kumar)

Assistant Inspector General of Forests (Central)

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23/03/2023