

File No. 8-02/1995-FC (Vol)
Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan
Jor Bagh Road, Aliganj
New Delhi – 110003
Dated:15-05-2025

To

The Addl. Chief Secretary (Forests),
Department of Forest, Ecology and Environment,
Government of Karnataka,
Bengaluru

Sub: Proposal for seeking prior approval of the Central Government under Section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of M/s. Zeenath Transport Company, Ballari, for non-forestry use of 9.12 ha. of forest land for approach road in ML No.2547 in RM Block, Sandur Range, Ballari District, Karnataka.

Madam/Sir,

I am directed to refer to the Govt. of Karnataka's letter No. FEE 35 FFM 2017 dated 07.08.2017 on the above mentioned subject, seeking prior approval of the Central Government under Section-2 (1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980. After careful examination of the proposal by the Advisory Committee constituted by the Central Government under Section-3 of the said Adhiniyam, '*in-principle*' approval for the said diversion was granted vide this Ministry's letter of even number dated 19.12.2017 subject to fulfilment of certain conditions prescribed therein. The Government of Karnataka has furnished compliance report in respect of the conditions stipulated in the '*in-principle*' approval and has requested the Central Government to grant *final approval*.

2. Further, it is noted that the '*in-principle*' approval in favour of M/s. Zeenath Transport Company, Ballari, for non-forestry use of 9.12 ha. of forest land for approach road in ML No.2547 in RM Block, Sandur Range, Ballari District, Karnataka was granted on 19.12.2017 for which the validity was expired on 19.12.2022. The State Govt. has submitted valid and cogent reason for the same. The Proposal is also involved for change in the CA land. Both issues were discussed in the Advisory Committee meeting held on 16.04.2025. After the careful consideration of the request of the State Govt. for extending the validity of the '*in-principle*' approval and acceptance of new CA land, the committee has recommended the same and the competent authority in the Ministry New Delhi has accepted the recommendation of the Advisory Committee as follows:

- i. The validity of the 'in-principle' approval shall be extended for 3 years from*

19.12.2022 to 18.12.2025 to enable compliance of the Stage-I conditions as sought by the Nodal Officer, Government of Karnataka.

- ii. *The site for Compensatory afforestation shall be changed from the previously identified 9.04 Ha NFL to 9.54 ha NFL which is already transferred and mutated in favour of the State Forest department in Chamraj Nagar & Vijayanagara districts.*

3. In this connection, I am directed to say that on the basis of the compliance report submitted by the Govt. of Karnataka vide letter No. FEE 35 FFM 20217 dated 02.12.2024 and vide letter No. FEE 35 FFM 2017 dated 01.03.2025 '**Stage-II/final approval**' of the Central Government is hereby granted under Section-2 (1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 in favour of in favour of M/s. Zeenath Transport Company, Ballari, for non-forestry use of 9.12 ha. of forest land for approach road in ML No.2547 in RM Block, Sandur Range, Ballari District, Karnataka, subject to the following conditions:

1. Legal status of the forest land shall remain unchanged;
2. The Compensatory afforestation shall be taken up by the Forest Department over newly identified of 9.54 ha of non-forest land at the cost already deposited by user agency as per the approved CA plan by the State Forest Department as per the approved CA scheme:
3. In addition the additional compensatory afforestation shall be taken up by the Forest Department over identified of 9.40 ha of degraded forest land at the cost already deposited by user agency as per the approved CA plan by the State Forest Department:
4. The State Govt. shall ensure that Compensatory afforestation shall be raised within a period of three years with effect from the date of issue of final approval and maintained thereafter in accordance with the approval plan in consultation with the approved plan in consultation with the State Forest Department at the cost of the User Agency;
5. The State Govt. shall ensure that soil and moisture conservation (SMC) activities on the CA land shall be implemented as per the approved AC scheme for which the funds have already been deposited by the User Agency;
6. ***The State Government shall ensure that correct KML files of diverted area, the CA area have been uploaded on the e-Green watch portal with all requisite details prior to handing over forest land to user Agency;***
6. ***The State Govt. shall, ensure that the non-forest land forest land proposed for CA, shall be notified as Protected Forest under section 29 of the Indian Forest Act, 1927 of local forest Act before handing over of forest land to the User Agency by the State Government. The Nodal Officer, after notification of such non-forest lands, shall upload a copy of said notification on the PARIVESH portal;***
7. The State Government shall ensure that, compensatory levies for this project, if any to be realized in future from the User Agency, shall be deposited to into the account of CAMPA of the State concerned through e-

portal (<https://parivesh.nic.in>);

8. The State Government shall ensure that the User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
9. The State Government shall ensure that no labour camp shall be established on the forest land and the User Agency shall provide fuels preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
10. The State Government shall ensure that 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;
11. The State Govt. and the user agency shall ensure that the layout plan of the proposal shall not be changed without the prior approval of the Central Government;
12. The State Govt. and the user agency shall ensure that the forest land shall not be used for any purpose other than that specified in the proposal;
13. The State Govt. and the user agency shall ensure that 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. The State Govt. and the user agency shall ensure that the approach road in question developed shall transportation be for of mined material by the user agency and this road shall be shared by all the mining lease holders along the road in the area. It will be strengthened by the user agency at its cost. No new road proposals will be separately considered for remaining six mines located in the vicinity of the proposed road;
15. The State Govt. and the user agency shall ensure that no damage to the flora and fauna of the adjoining area shall be caused;
16. The State Govt. and the user agency shall ensure that in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Birds nests artificially made out of Eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
17. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
18. The State Govt. shall ensure that the User Agency shall raise strip plantation on either sides of the road and central verge at the project cost, as per IRC specification, with maintenance of 7-10 years;
19. The State Govt. shall ensure that wherever possible and technically feasible, the User Agency shall implement afforestation measures along the roads within the area diverted under this approval, in consultation with the State Forest Department at the project cost;
20. The State Govt. shall ensure that overburden shall not be dumped outside the width of the road. The muck generated in the earth cutting will be disposed of at the designate dumping sites and in no case the muck/debris

shall be allowed on roll down the hill slopes;

21. The State Govt. shall ensure that the User Agency will provide retaining walls, breast wall and drainage as per requirement to make the slope stable.
22. The State Govt. shall ensure that the User Agency will implement comprehensive soil conservation measures at the project cost in consultation with the State forest Department;
23. The State Govt. shall ensure that the complete settlement of rights, in terms 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 its letter No. 11-9/1998-FC (pt.) dated 03.08.2009, 5th February, 2013 and 05th July, 2013, in support thereof;
24. The State Govt. shall ensure that the User Agency shall not collect any toll from the vehicles carrying forest officers on duty;
25. The State Govt. shall ensure that the designing of culverts/bridges, if any, over the natural streams/ rivers/ canals should be done in such a manner that it does not hamper the natural course of water, does not give rise to water -logging, and also does not hamper movement of wild animals;
26. The State Govt. shall ensure that proper drainage shall be built with engineering structures all along the road, as suggested in the inspection report;
27. The State Govt. shall ensure that avenue plantation shall be raised and maintained at the cost of user agency;
28. The State Govt. shall ensure that fugitive dust emissions shall be controlled by making water spraying arrangement on the road;
29. The State Govt. shall ensure that the user agency shall have only the right of way and the control over the road shall remain with the forest department;
30. The State Govt. shall ensure that User Agency shall implement the R&R Plan as per the R&R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work and implementation. The said R&R Plan will be monitored by the State Government/Regional Office of MoEF&CC along with indicators for monitoring and expected observable milestones;
31. 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;
32. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
33. The user agency to take up protection & conservation measures for wildlife found in areas in consultation with State Forest department;
34. Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife shall be carried with by the State Government and user agency;
35. The State Govt. shall ensure that the User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and this Ministry by the end of

36. ~~The State Government~~ ^{March every year;} and user agency shall ensure compliance to all conditions stipulated in the Stage-I approval letter dated 19.12.2017 for which undertakings have been obtained from the user agency and the user agency shall comply all the provisions of the all Acts, Rules, Regulations, Guidelines, complete compliance of FRA, 2006, 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;
37. The Violation of any of the conditions mentioned above shall amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as per the para 1.16 of consolidated guidelines and clarification issued under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and Van (Sanrakshan Evam Samvardhan) Rules, 2023 issued vide this Ministry F. No.5-2/2017-FC dated 29th December, 2023.

Yours faithfully,

Sd/-
(S. Sundar)

Assistant Inspector General of Forests

Copy to:-

1. PCCF (HoFF), Government of Karnataka, Bengaluru.
2. DDGF (C), MoEF&CC's RO at Bengaluru.
3. PCCF cum Nodal Officer (FCA), Government of Karnataka, Bengaluru.
4. User Agency.
5. Monitoring Cell of FC Division, MoEF&CC, New Delhi.