

I/55562/2023



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-KRC1171/2018-BAN/
Dated the 17th October, 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 32.28 ha. of forest land in Devasamudra and 9 other villages in Chitradurga Division and District for strengthening and widening of 159.9 km long stretch of existing National Highway (NH-150A) from Bellary (KM 253.600) to Hiriyur (KM 413.500) in favour of the Deputy General Manager, National Highway Authority of India, Project Implementation Unit, Hospet -reg.

Sir,

Please refer to the State Government's letter No. FEE 68 FLL 2018 dated 07/12/2018 and 06/02/2019 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 21st February, 2019. The State Government vide letter FEE 68 FLL 2018 dated 04/05/2022 and 15/09/2023 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 **32.28 ha.** of forest land in Devasamudra and 9 other villages in Chitradurga Division and District for strengthening and widening of 159.9 km long stretch of existing National Highway (NH-150A) from Bellary (KM 253.600) to Hiriyur (KM 413.500) in favour of the Deputy General Manager, National Highway Authority of India, Project Implementation Unit, Hospet, 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.
2. 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.

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

Smc o/c

1. The legal status of forest land shall remain unchanged.
2. The demarcation of the forest area being diverted shall be carried out by erecting cement concrete pillars duly numbered at an interval of 20 meters at the cost of User Agency.
3. Compensatory Afforestation shall be raised over double the degraded forest land (66.06 ha) identified in Sy.No. 1 of Kamarada Kaval Reserved Forest and village, Kasaba Hobli, Malkalmuru Taluk, Chitradurga 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. To ensure safe passage of wildlife across roads, at least for the stretch of highway passing through the forest area, box culverts of appropriate size and number should be provided in consultation with State Forest Department.
6. Tree felling shall be done only when it is unavoidable and under the strict supervision of the State Forest Department.
7. Soil and Moisture Conservation Works shall be taken up in 100 mts on either side of the road passing through forest areas in consultation with State Forest Department.
8. Avenue planting shall be taken up by User Agency along the road on either sides wherever required at the project cost. The plantation shall also be maintained at the project cost.
9. NHAI authorities shall undertake annual fire protection works in consultation with the Forest Department in the Reserve Forest areas.
10. Any improvement work undertaken by the User Agency shall not block the access to Forest Estate by Forest Department all along the entire length of the NH passing through the forest area.
11. Overburden shall not be dumped outside the width of the road. The muck generated in the earth cuttings will be disposed of at the designated dumping sites and in no case the muck/debris will be allowed to roll down the hill slopes.
12. No labour camp shall be established on the forest land.
13. The layout plan of the proposal shall not be changed without the prior approval of the Central Government.
14. The User Agency shall provide fuel preferably alternate fuel, to the labourers and the staff working at project area, so as to avoid any damage and pressure on the nearby forest areas.
15. The forest land should not be used for any purpose other than that specified in the proposal.
16. 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.
17. No damage of the flora and fauna of the adjoining areas shall be caused.
18. The User Agency 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. Bird's 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.
19. In order to avoid Human-Animal conflict, no parking and resting facility will be provided



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- along the highway, inside the forest area.
20. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required.
 21. The total forest area utilized for the project shall not exceed 32.28 ha.
 22. 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.
 23. 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
 24. 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.
 25. 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.
 26. 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.

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 Deputy General Manager, National Highway Authority of India, Project Implementation Unit, Shree Nilayam, 1st Main, 2nd Cross, Vivekananda Nagar, Hospet, Bellary -583 201.
5. Guard file.

(M.K.Shambhu)

Deputy Inspector General of Forests (Central)

o/c
 17/01/2023