

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bagh Road, Aliganj,
New Delhi - 1100 03,
Dated: May, 2022

To,

The Addl. Chief Secretary,
Department of Forests and Environment,
Government of Karnataka,
Bangalore.

Sub: Proposal for diversion of 2.70 ha. for the existing approach road for mining project ML No. 2294 at Niruthadi State Forest Holalkere Range Chitradurga division in favour of Sri R. Praveen Chandra, Bangalore (Online proposal No. FP/KA/MIN/23899/2014).-regarding.

Madam/Sir,

I am directed to refer to the Government of Karnataka's letter no. FEE 1 FFM 2015 dated 28.02.2015 on the above mentioned subject, seeking prior approval of Central Government under Section-2 of the Forest (Conservation) Act, 1980. After careful consideration of the proposal by the Forest Advisory Committee constituted by the Central Government under Section-3 of the said Act, '*in-principle*' /Stage -I approval to the proposal was granted vide this Ministry's letter of even number dated 27th September, 2017 subject to fulfilment of certain conditions prescribed therein. The State Government 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. In this connection, I am directed to say that on the basis of the compliance report furnished by the Government of Karnataka vide their letters dated 07.12.2018, 29.05.2020, 09.04.2021 and 08.04.2022 the **final approval/Stage -II** of the Central Government is hereby granted under Section -2 of the Forest (Conservation) Act, 1980 for diversion of 2.70 ha. for the existing approach road for mining project ML No. 2294 at Niruthadi State Forest Holalkere Range Chitradurga division in favour of Sri R. Praveen Chandra, Bangalore, subject to fulfilment of the following conditions:

A: Conditions which need to be complied prior to handing over of forest land to user agency by the State Govt.:

- i. The State Govt. shall ensure the complete compliance on FRA, 2006; It should also be ensured that the FRA certificate issued by District collector is complete with letter number, date, name, signature and official seal, as required in the certificate;

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- ii. The User Agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986 if applicable;
- iii. The State Government shall upload the kml files of the area under diversion and the accepted Non-forest land for raising compensatory afforestation in the E-Green Watch portal of FSI, before handing over forest land to the user agency;
- iv. The proposed forest land i.e. 2.70 ha shall be handed over to the User Agency only after when the User Agency has acquired the required non-forest land, if any, for the project;

B: Conditions which need to be complied after handing over of forest land to the user agency by the State Govt.:

- i. Legal status of the forest land shall remain unchanged;
- ii. The user agency will ensure that all the compensations, as per the norms and rules of the State Government to the affected persons shall be paid prior to handing over of forest land to the User agency;
- iii. User agency will ensure that forest area nearby shall not be encroached upon due to implementation of the project;
- iv. The State Government shall ensure that the minimum number of trees/plants/poles in any case not more than mentioned in the applied forest area will be removed and the trees should be felled under strict supervision of the State Forest Department;
- v. The non-forest land transferred so mutated in favour of the State Forest Department shall be notified by the State Government as RF under Section-4 or PF under Section-29 of the Indian Forest Act, 1927 or under the relevant Section(s) of the local Forest Act, 1927 latest within a period of six months from the date of issue of Stage-II approval. The Nodal Officer shall report compliance in this regard along with a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, as the case may be, within the stipulated period to the Central Government for information and record;
- vi. The Compensatory Afforestation shall be taken up by the State Forest Department over 2.70 ha. Non-forest land at the cost of the User Agency. As far as practicable a mixture of local indigenous species will be planted and mono culture of a species has to be avoided
- vii. The user agency shall raise strip plantation on either sides of the road and central verge of road as per the IRC norms;
- viii. Overburden shall not be dumped outside the width of the road. The muck generated in earth cutting will be disposed of at the designate dumping sites and in no case the muck/debris shall be allowed to roll down the hill slopes.
- ix. The State Govt. shall ensure the user agency will undertake comprehensive soil conservation measures at the project cost in consultation with the State Forest Department;

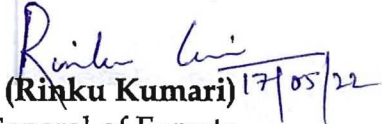
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- x. The User Agency shall restrict the felling of trees to minimum numbers in the diverted forest land and trees shall be felled under strict supervision of the State Forest Department;
- xi. The User Agency shall pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- xii. 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;
- xiii. 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 not hamper movement of wild animals;
- xiv. Fugitive dust emissions shall be controlled by making water spraying arrangements on the road;
- xv. The user agency shall have only the right of way and the control over the road shall remain with the forest department;
- xvi. Avenue plantation shall be raised and maintained at the cost of user agency;
- xvii. Proper drainage shall be built with engineering structures all along the road, as suggested in the inspection report;
- xviii. The user Agency shall provide suitable under/over pass in Protected Area/ Forest Area as per recommendation of CWLW/NBWL/FAC/REC;
- xix. The State Govt. and the user agency shall ensure not to collect any toll from the vehicles carrying forest officers on duty;
- xx. The layout plan of the proposal shall not be changed without prior approval of Central Government;
- xxi. No labour camps shall be set up inside the forest area. Labour management plan should be implement with emphasis that no labour camp be set up in the close vicinity of the eco-fragile and sensitive areas;
- xxii. The 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;
- xxiii. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer;
- xxiv. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
- xxv. 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;

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- xxvi.No damage to the flora and fauna of the area shall be caused;
- xxvii.The forest land shall not be used for any purpose other than that specified in the project proposal;
- xxviii.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;
- xxix.The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt. of India;
- xxx.The State Govt. shall ensure that the Compliance report of this approval is uploaded on e-portal (<https://parivesh.nic.in/>);
- xxxi.The Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the para 1.21 of comprehensive guidelines issued vide this Ministry F. No.5-2/2017-FC dated 28th March, 2019;
- xxxii.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; and
- xxxiii.The State Government and user agency shall ensure compliance to all conditions stipulated in the Stage-I approval letter dated 27.09.2017 for which undertakings have been obtained from the user agency and also the provisions of the all Acts, Rules, Regulations and Guidelines, relevant Hon'ble Court Order (S) and NGT Order (S), if any, pertaining to this project for the time being in force, as applicable to the project;

Yours faithfully,


(Rinku Kumari) 17/05/22

Assistant Inspector General of Forests

Copy to: -

1. The Principal Chief Conservator of Forests & HoFF, Government of Karnataka, Bangalore;
2. The Regional Officer, Integrated Regional Office, MoEF&CC, Bangalore;
3. The Nodal Officer (FCA), Forest Department, Government of Karnataka, Bangalore;
4. The User Agency;
5. The Monitoring Cell, FC Division, MoEF & CC, New Delhi, for uploading.