



ENVIRONMENT, CLIMATE CHANGE
& FORESTS(FR.10) DEPARTMENT,
SECRETARIAT, CHENNAI 9.

Letter No.9266/FR.10/2022-1, Dated 01.08.2022

From
Tmt.Supriya Sahu, IAS.,
Additional Chief Secretary to Government.

To

✓ The Assistant Inspector General of Forests (Central),
Government of India,
Ministry of Environment, Forests and Climate Change,
Integrated Regional Office,
No.1st Floor, Additional Office Block for GPOA,
Shastri Bhawan, Haddows Road,
Nungambakkam,
Chennai-600 006 (w.e).

Sir,

Sub: Forest (Conservation) Act, 1980 – SMTR, Madurai Circle/ Madurai
Forest Division – Diversion of 0.033 ha of forest land for laying
OFC on the boundary of the road which passes through Forest
area from Madurai-Natham road to Saranthangi Village – In favour
of Reliance Jio Infocomm Ltd., Chennai –Forwarding of -
Regarding.

Ref: From the Principal Chief Conservator of Forests, Chennai letter
No.TS4/39933/ 2018, dated 24.05.2022.

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I am directed to enclose a copy of the reference cited and to state that the Principal Chief Conservator of Forests (HoFF) in his letter cited has stated that the District Forest Officer, Madurai has sent a proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.033 ha of forest land for laying OFC on the boundary of the road which passes through Forest area from Madurai- Natham road to Saranthangi Village through online web portal in the prescribed format.

2. The District Forest Officer, Madurai has uploaded the part-II details as follows:-

- i. The legal status of forest land proposed for diversion is Reserved Forest.
- ii. The density of vegetation is 0.4 and Eco class-IV.
- iii. There is no tree species available in the proposed area.
- iv. The area is less prone for soil erosion.
- v. The forest land proposed is not part of Wildlife Sanctuary, National Park, Tiger Reserve, Elephant Corridor and not located in ESZ of Protected Area.
- vi. The proposed area is not located in any protected archeological/ heritage site/defence establishment or any other important monument.
- vii. No Compensatory Afforestation scheme was proposed.

3. The District Forest Officer, Madurai has inspected the proposed area on 05.09.2020 and stated that the area requested by the User Agency is 0.033ha for laying of underground Optical Fiber Cables (OFC) for a distance of 1.1 kms to a width of 0.30mt. and a depth of 1m. The proposed diversion falls in Kiluvamalai Reserved Forest. The cable is proposed to be laid on left side of the road starting from the junction on Madurai-Natham NH and all along the Saranhangi road (in East-West direction) leading to Saranhangi. The road is located on the northern side of the Kiluvamalai Reserved Forest. The user agency had proposed to lay the cable at a depth of 1 metre involving excavation at a width of 30 cm. From this, the proposed diversion is calculated as $1100\text{ m} \times 0.3\text{ m} = 0.033\text{ ha}$. There are Eucalyptus trees all along the left side of the road but the user agency informed that they will not harm the trees. No rock blasting or other form of destruction is allowed in the proposed area. If the work exceeds proposed width, it may harm the trees and hence the commitment is to be strictly upheld by the user agency. From the records, it is ascertained that the said road is not in any of the forest records. The road is illegally formed during the year 2010 for which an offence was registered in OR.No.45 of 2010 in Madurai Range. But, a BT road is in existence and is currently used. Cairn stones are seen on the other side of the road that clarifies that the said road falls within the Reserved Forest. The proposed diversion is essential to provide telecommunication services. It is a small tract of the project that is covering large landscapes. With the direction to user agency to ensure that the work must be restricted to proposed area and wherever machinery cannot be accessed, the work must be carried out manually, the project is considered.

4. The District Forest Officer, Madurai has stated that an area of 0.033 hectares of forest land in Kiluvamalai Reserved Forest of Madurai range, is proposed to be diverted for laying OFC cable by Reliance Jio Infocomm Limited, Mylapore, Chennai. It is essential for the telecommunication facility expansion and does not involve felling of trees or other vegetation and is hence, recommended.

5. The Additional Principal Chief Conservator of Forests, Madurai Circle has uploaded Part-III details along with site inspection report and recommendation. In the Field inspection notes, the Additional Principal Chief Conservator of Forests has stated that, the proposed area for laying underground OFC is in Kiluvamalai Reserved Forest of Madurai Range in Madurai Forest Division and inspected along with the District Forest Officer and field staff on 24.04.2021. The underground OFC work proposed to be laid on the left side of the Madurai-Natham main road to Saranhangi Village to a distance of 1.1 km and a width of 0.30m. The proposed area doesn't fall in any Eco Sensitive Zone of Megamalai and Kodaikanal Wildlife sanctuaries, there is no felling of trees involved in this proposal and hence the diversion of forest land to an extent of 0.033ha may be considered.

6. The Additional Principal Chief Conservator of Forests, Madurai Circle in his recommendation has stated that the User Agency has not done any works in the proposed area in violation of the provisions of the Forest (Conservation) Act, 1980. In Part-III of Form-A, the Additional Principal Chief Conservator of Forests, Madurai has stated that, he has agreed the remarks of the District Forest Officer and the proposed area for diversion does not have any important monuments of Archeological, Heritage site, Defense establishment, etc and recommended the proposal to improve the communication facilities. Regarding the illegal formation of road, detailed report has already been sent to Government in Principal Chief Conservator of Forests's ref.No:TS4/34103/2009 dated 25.10.2010.

7. in this regard, the Principal Secretary to Government, Highways and Minor Ports Department has been addressed to take suitable follow up action and send the action taken report to this Department vide Letter No.98/FR.10/2015-1, Environment and Forests Department, dated: 20.02.2015. Further, the Principal Chief Conservator of Forests has also been instructed to take follow up action in this matter vide Letter No.4375/FR.10/2016-1, Environment and Forests Department, dated: 21.03.2016.

8. As per the Handbook of Forest (Conservation) Act, 1980 and Forest (Conservation) Rules, 2003 (Guidelines and clarifications) Chapter 3, Para 3.5, payment of Net Present Value is exempted for underground laying of Optical Fiber Cable, if the area does not form a part of National Park / Sanctuary and no felling of trees is involved. The area proposed for this project is not declared as National Park / Sanctuary and no felling of trees involved. Hence payment of Net Present Value for the forest area diversion of laying OFC may not be insisted. In this regard, it is submitted that the User Agency has uploaded all the certificates/undertakings/details as required in this proposal.

9. The Principal Chief Conservator of Forests (HoFF) has sent the proposal, duly recommended in the Part IV format proposal by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer (Forest Conservation Act).

10. Based on the recommendations of District Forest Officer, Madurai and the Conservator of Forests and Field Director, Srivilliputhur Megamalai Tiger Reserve, Madurai, the Principal Chief Conservator of Forests (HoFF) has recommended the proposal for diversion of 0.033 ha of forest land in Kiluvamalai Reserved Forest of Madurai Range in Madurai Division to a distance of 1.1 km and trench width of 0.30 m for laying underground OFC on the boundary of the road which passes through Forest area from Madurai-Natham road to Saranthangi Village in favour of M/s. Reliance Jio Infocomm Limited, Chennai for a period of 20 years, under section 2 of Forest (Conservation) Act, 1980 and requested the Government to forward the same to Government of India for obtaining the in-principle Stage- I approval for the project proposal, subject to the following conditions:-

- a. The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
- b. The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars, duly numbered at an interval of 20 mts at the cost of User Agency.
- c. 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 the User Agency. The User Agency shall furnish an undertaking to the effect.
- d. The User Agency shall be responsible for any loss to Flora and Fauna in the surroundings and shall take all possible measures to conserve the same.
- e. The forest land shall not be used for any other purpose other than that specified in the proposal.
- f. The lease rent should be realized from the User Agency, as per G.O.Ms.No.272, E&F(FR.XIII) Department, dated 15.04.1991.
- g. The period of lease is 20 years.
- h. The User Agency should send renewal proposal one year, before expiry of lease.

- i. The Conservator of Forests & Field Director, SMTR, Madurai and District Forest Officer, Madurai may impose any other condition in the interest of conservation/protection and development of forests.
- j. The User Agency should upload the Compliance report on e-portal (<http://Parivesh.nic.in/>)

11. The Government have carefully examined and accepted the proposal of the Principal Chief Conservator of Forests (Head of Forest Force) for diversion of 0.033 ha of forest land in Kiluvamalai Reserved Forest of Madurai Range in Madurai Division to a distance of 1.1 km and trench width of 0.30 m for laying underground OFC on the boundary of the road which passes through Forest area from Madurai-Natham road to Saranthangi Village in favour of M/s. Reliance Jio Infocomm Limited, Chennai for a period of 20 years, under Section-2 of Forest (Conservation) Act, 1980 and decided to forward the same to Ministry of Environment, Forests and Climate Change, Government of India for their concurrence.

12. I am, therefore, directed to request you to kindly obtain the concurrence of the Competent Authority and communicate the same to this Government, early.

Yours faithfully,

M. Megala
2/8/2022

for Additional Chief Secretary to Government.

Copy to:
The Principal Chief Conservator
of Forests ,
Chennai-15,
M/s.Reliance Jio Infocomm Ltd.,
Mylapore, Chennai-4.

PART – V

(To be filled in by the Secretary in charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

Proposal for diversion of 0.033 ha of forest land in Kiluvamalai Reserved Forest of Madurai Range in Madurai Division to a distance of 1.1 km and trench width of 0.30 m for laying underground OFC on the boundary of the road which passes through Forest area from Madurai-Natham road to Saranthangi Village in favour of M/S. Reliance Jio Infocomm Limited, Chennai for a period of 20 years, under Section-2 of Forest (Conservation) Act, 1980.

18. Recommendation of the State Government

(Adverse comments made by any officer or authority in Part-B or Part – C or Part – D above should be specifically commented upon)

Recommended

Mr. Amarnath
(M.R. AMARNATH)

Signature
Name & Designation
(Official Seal)

Date : 01.08.2022

Place : Chennai-9