

By on-line/Email.

TAMILNADU FOREST DEPARTMENT

From

To

Dr. P. Durairasu, I.F.S.,
Principal Chief Conservator of Forests,
(Head of Department)
Panagal Maaligai, Saidapet,
Chennai - 15.

The Principal Secretary to Government,
Environment and Forests Department,
Secretariat,
Chennai 9.

C. No. TS3/14309/2016 Dated: 19.08.2019.

Sir,

Sub: Forest (Conservation) Act, 1980 - Mudhumalai Tiger Reserve - Proposal for diversion of 0.71595 ha of forest land in Mudhumalai Tiger Reserve for laying of Optical Fiber Cable along Kakkanalla border to Thorapalli road section in the Nilgiris District in favour of M/s Reliance Jio Infocomm Limited, Chennai - Seeking approval under Section 2 of Forest (Conservation) Act, 1980 - Stage-I approval accorded - Furnishing of compliance report - Regarding.

Ref: 1. Government of India, Ministry of Environment, Forests and Climate Change, Regional Office (South Eastern Zone), Chennai Lr. No. 4-TNB.018/2018 - CHN/0369, Dated: 06.03.2019

2. Government letter No. 8681/FR.10/2017-9, dated 19.03.2019

With reference to the Government letter cited, the Compliance report on Stage I approval for the diversion of 0.71595 ha of forest land in Mudhumalai Tiger Reserve for laying of Optical Fiber Cable along Kakkanalla border to Thorapalli road section in the Nilgiris District in favour of M/s Reliance Jio Infocomm Limited, Chennai for a period of 20 years is furnished as below.

Sl. No.	Conditions to be complied	Compliance
1.	Legal status of diverted forest land shall remain unchanged	Legal status will remain as forest land. The User Agency has also furnished an undertaking to this effect. A copy of the undertaking is enclosed herewith.
2.	The demarcation of the proposed forest area shall be carried out by	The Chief Conservator of Forests and Field Director, Mudumalai Tiger

	erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 metres at the cost of User Agency	Reserve has reported that the required demarcation has been carried out by the user agency. Copy of few photographs and relevant GPS reading furnished by the user agency is enclosed herewith.
3.	The State Government shall charge the Net Present Value of the diverted forest land measuring 0.71595 ha from User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IA's in Writ Petition(Civil) No. 202/1995.	The Net Present Value has been paid by the user agency @ Rs. 31,93,200/- based on the demand raised by the department. The amount has been remitted in the State CAMPA account. Copy of the bank remittance challan is enclosed.
4.	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. The User Agency shall furnish an undertaking to this effect.	The User Agency has furnished an undertaking to this effect. A copy of the same is enclosed herewith.
5.	Funds received from the User Agency towards Compensatory Afforestation, Net Present Value and any money received in compliance of the conditions stipulated by the Central Government under this project shall compulsorily be deposited in to the "State Compensatory Afforestation fund of Tamil Nadu State" only.	<p>1) As stated in Sl. No. 3 above, NPV amount of Rs. 31, 93,200/- has been remitted in the Tamil Nadu State CAMPA. Documents related to this has been furnished.</p> <p>2) As per documents furnished by the User Agency, an amount of Rs. 36,00,000/- has been remitted towards wildlife mitigation measures demanded by the CCF&FD, MTR, Udagai.</p> <p>3) Documents related to making</p>

		payment in the State CAMPA accounts is enclosed.
6.	State Forest Department shall carry out mitigation measures and comply with all conditions as prescribed by the NTCA, State Chief Wildlife Warden and condition of the SBWL, if any, at the cost of user agency;	<p>An amount of Rs. 36,00,000/- towards mitigation measures has been remitted by the user agency in the Tamil Nadu State CAMPA account.</p> <p>Further the user agency have reiterated their commitment made earlier in the proposal that they will abide to offer the facility of free data connection for the cause of conservation and protection of the tiger reserve through electronic surveillance system in the form of set top box without any structural/tower component each in Theppakadu and Kargudi ranges since they are utilizing the forest land within the Mudumalai Tiger Reserve.</p> <p>An undertaking to this effect is also enclosed.</p> <p>Further the user agency may be imposed with the condition to provide such facility at Reception Centre, Theppakadu and in the head office at Udthagamandalam for monitoring protection.</p>
7.	The User Agency shall obtain the clearance from the State Board for Wildlife (SBWL) before commencement of the work	<p>Fact sheet about clearance from the State Board for Wildlife furnished by the user agency is as follows</p> <p>1) 45th meeting of Standing Committee of National Board for wildlife held on 4th September 2017 and minutes communicated in F. No. 6-175/2107 WL, dated 12.09.2017.</p> <p>2) Based on this guidelines, the proposal of Reliance Jio Infocomm</p>

	<p>Limited has been placed in the 4th meeting of State Board for Wildlife held on 25.09.2017 and minutes of the meeting communicated in State Govt letter No. 5148/FR.5/2017-2, dated 06.11.2017.</p> <p>3) Subsequently, 46th meeting of the Standing Committee of National Board for wildlife held on 8th December 2017 and minutes communicated in F. No. 6-226/2107 WL, dated 09.01.2018.</p> <p>4) Since the decision of State Board for Wildlife has been obtained on 25.09.2017 (communication date also 06.11.2017) before modification of guidelines on 09.01.2018 and the State Board for Wildlife has already closed the agenda based on 45th meeting guidelines, obtaining of State Board for Wildlife approval freshly (ie., Second time) may not be insisted.</p> <p>5) For obtaining fresh approval based on 46th meeting, User Agency has to apply wildlife clearance freshly for second time that too for the case already considered the matter at State Board for Wildlife.</p> <p>In this regard, it is to inform that the State Board of Wildlife has already taken cognizance in this regard during its meeting conducted on 25.09.2017 (copy enclosed). Since the decision of State Board of Wildlife has been obtained on 25.09.2017 in 45th meeting, before modification of guidelines on 09.01.2018 in 46th meeting, obtaining approval from State Board of Wildlife</p>
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		second time and afresh may not be insisted and not required.
8.	RoFR certificate in prescribed format by this Ministry shall be furnished along with compliance report.	<p>The required certificate obtained from the Collector of Nilgiris has already been furnished along with the original proposal.</p> <p>Further it was reiterated by the Collector of Nilgiris that the earlier certificate issued by the then Collector of Nilgiris three years back is suffice for the purpose as it adequately covers the information required in the format prescribed by the Govt. of India. Copy of the certificate issued by the District Collector is enclosed.</p>
9.	The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government.	The User Agency has furnished an undertaking to this effect. A copy of the same is enclosed herewith.
10.	The lay out plan of the proposal shall not be changed without the prior approval of the Central Government.	The User Agency has furnished an undertaking to this effect. A copy of the same is enclosed herewith.
11.	Felling of trees shall not be carried out by the User Agency	The User Agency has furnished an undertaking to this effect. A copy of the same is enclosed herewith.
12.	Work shall be taken up during day time only. Now work shall be carried out during night time.	The User Agency has furnished an undertaking to this effect. A copy of the same is enclosed herewith.
13.	The cable line shall be laid at least one metre below the ground level and the forest land shall be	The User Agency has furnished an undertaking to this effect. A copy of the same is enclosed herewith.

	restored to its original state after laying the same. The maximum size of the trench should not exceed 2.00 mt. depth and 0.45 mt width.	
14.	Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall be the responsibility of the User Agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna.	The User Agency has furnished an undertaking to this effect. A copy of the same is enclosed herewith.
15.	The total forest area utilized for the project shall not exceed 0.71595 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.	The User Agency has furnished an undertaking to this effect. A copy of the same is enclosed herewith.
16.	User Agency and the State Government shall ensure compliance to provisions of all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.	Condition will be strictly followed. The User Agency has furnished an undertaking to this effect. A copy of the same is enclosed herewith.
17.	Any other conditions that the Central Government or Addl. Principal Chief Conservator of Forests (Central) of Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency.	The User Agency has furnished an undertaking to this effect. A copy of the same is enclosed herewith.

18.	In the event of failure to comply with any of the above conditions, the user agency is liable for penal action as decided by the Additional Principal Chief Conservator of Forests (Central) Regional Office, Chennai.	The User Agency has furnished an undertaking to this effect. A copy of the same is enclosed herewith.
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Since the conditions stipulated in the Government of India letter's cited have been fulfilled by the User Agency, I request that compliance report may be forwarded to the Government of India for issuing Stage-II final approval at the earliest.

Encl.: In duplicate - As stated above.

Yours faithfully

[Signature] 19/08/2019

For Principal Chief Conservator of Forests
(Head of Department)

[Signature]
18/8/2019