

**PART -IV**

**(To be filled by Nodal Officer or Principal Chief Conservator of Forests (Head of Forest Force))**

(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub.:- Diversion of 0.118 ha. forest land for laying of underground Optical Fiber Cable in favour of Reliance JIO, Infocomm Ltd. Nagpur, passing within the existing ROW of Pusad-Bhojala-Jambazar-Chikhali-Parwa-Lakhi, MDR-32, PWD road in Comptt.No.378 of Pusad Division, Pusad. The details of land proposed for diversion is as under-

Sr. No.	Item	Name of the Village	Dist.	Forest Land Required						
				Survey No.	Gut NO.	Comptt No.	Length Width	Sq. Mt.	Area (in Ha)	Legal Status
1	Laying Optical Fiber Cable Line	Housapur	Yavatmal	8	33	378	2635 x 0.45	1185.75	0.118	Reserve Forest
Grand Total									0.118	

*Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 109 to 10d.*

  
(G Sai Prakash)

**Additional Principal Chief Conservator of Forests  
& Nodal Officer, Maharashtra State, Nagpur.**

  
27/7/2017

Date: 27/7/2017

Place: Nagpur

**Diversion of 0.118 ha. forest land for laying of underground Optical Fiber Cable in favour of Reliance JIO, Ltd., passing within the existing ROW of Pusad-Bhojala-Jambazar-Chikhali-Parwa-Lakhi, MDR-32, PWD road in Comptt. No.378 of Pusad Forest Division, Pusad.**

**Specific Recommendation of Principal Chief Conservator of Forests, Maharashtra State (Head of Forest Force) with regards to acceptance or otherwise of the proposal supported by reasons.**

- 1) The proposal is for diversion of 0.118 ha. Reserved Forest land under Section-2 (ii) of the Forest (Conservation) Act, 1980 for laying of Optical Fiber Cable passing along with the Right of Way of the Pusad-Bhojala-Jambazar-Chikhali-Parwa-Lakhi, MDR-32, PWD road in forest Comptt. no.378 in Pusad Forest Division, Pusad. The location of the project is shown as under-

Sr. No.	Item	Name of the Village	Dist.	Forest Land Required						
				Survey No.	Gut NO.	Comptt No.	Length Width	Sq. Mt.	Area (in Ha)	Legal Status
1	Laying Optical Fiber Cable Line	Housapur	Yavatmal	8	33	378	2635 x 0.45	1185.75	0.118	Reserve Forest
<b>Grand Total</b>									<b>0.118</b>	

The project has been initiated by M/s. Reliance JIO, Infocomm Ltd., for underground OFC line from route section Km.2.00 to 41.00 Km from Pusad to District Washim. The total route length of the project is 39.00 Km. The aforesaid project is pursuant to the directives issued by the Government of India vide their letter No. 10-31/2011-CS-III, dt.23/06/2011 and in accordance with the approval granted by Government of Maharashtra, Directorate of Information and Technology, General Administrative Department, Mumbai letter No.GAD/मातंसं०६५/१८/२०१७, dt.6/3/2017.


- 2) The area belongs to Eco-value class -III and having density of forests below 0.4 to 0.6.
- 3) The Deputy Conservator of forest Pusad Division, Pusad has certified that no suitable alternate non-forest land is available other than the forest land for the proposed area is the barest minimum.
- 4) There is no violation of Forest (Conservation) Act, 1980 as certified by the Deputy Conservator of Forest Pusad Division, Pusad
- 5) The Deputy Conservator of Forest Pusad Division, Pusad has certified that the project proposed in the area does not affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 6) The Deputy Conservator of Forest Pusad Division, Pusad has certified that the area involved does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 7) The Deputy Conservator of Forest Pusad Division, Pusad has certified that the proposed project is beyond 10 km of the boundary of the Protected Area (Sanctuary and National Park).
- 8) Site Inspection Report by the Deputy Conservator of Forest Pusad Division, Pusad indicating his observation is enclosed on page no.44.

- 9) The user agency has submitted an undertaking to defray the cost of Compensatory Afforestation of the forest land proposed for diversion.
- 11) The user agency has given an undertaking for laying of Optical Fiber Cable line of underground work and alongwith road side section Km. 2.00 to 41.00 Km from Pusad to District. Washim, MDR-32, PWD road section where part of our cable ducts are being laid in forest areas along the Right of Way and will take care to ensure that no unlawful act takes place during execution of work.
- 12) The user agency has given an undertaking for laying of Optical Fiber Cable line of underground work and alongwith road side section Km. 2.00 to 41.00 Km from Pusad to District. Washim, MDR-32, PWD road section where part of our cable ducts are being laid in forest areas alongwith Right of Way and will restore the land to original level by proper back filling, after the excavation and duct laying work is completed.
- 13) There is no cutting and felling of trees involved in the project the certificated given by the Deputy Conservator of Forest Pusad Division, Pusad
- 14) The Deputy Conservator of Forest Pusad Division, Pusad has certified that non-forest area covered under the project is not under the provision of Maharashtra Private Forest (Acquisition) Act, 1975 by virtue of application of section 35 of Indian Forest Act 1927 and is not recognized as deemed reserved Forest as well as not included in the area identified as "Forest" as per the dictionary meaning of Forest as intimated by the Expert Committee appointed in accordance with the judgment of Hon'ble Supreme Court dated 12/12/1996.
- 14) The Deputy Conservator of Forests, Pusad Division, Pusad has certified that all other alternatives have been examined in detail and found that no other alternatives in the Right of Way of the Pusad-Bhojala-Jambazar-Chikhali-Parwa-Lakhi, MDR-32, PWD road for laying of OFC cable is suitable from forestry point of view.
- 15) The Deputy Conservator of Forests, Pusad Division, Pusad and the Chief Conservator of Forests (T), Yavatmal Circle have recommended the proposal for diversion of 0.118 ha. of forest land.

**In view of this, the proposal is recommended for approval under section - 2 (ii) subject to the following conditions.**

- i) The legal status of the land shall remain unchanged.
- ii) The Optical Fiber Cable Line will be laid within maximum size of the trench of 1.00 m depth & 0.45 m width with cable line under the PVC Pipeline.
- ii) The land under project will be reclaimed by the user agency for which the agency shall submit a bank guarantee at the rate of Rs. 50/- per running meter and an undertaking to that effect shall also be submitted. If the agency fails to reclaim the land to the satisfaction of Deputy Conservator of Forests concerned, the cost for reclamation will be recovered from the bank guarantee.

- iv) If the cable is going to be laid in the formation width of the road, then additional charges in form of bank guarantee shall be given at the rate of Rs.35/- per running mtr. Similarly for reclamation of side drain and for tarred portion, the guarantee will be at the rate of Rs. 300/- per mtr. and Rs.750/- per mtr. respectively. An undertaking shall be obtained from the user agency that it has agreed to make good any loss to Forest/ Environment while laying the cable in the forest area and during maintenance of the same in future.
- v) For further maintenance of the project, the agency shall obtain permission from the concerned Deputy Conservator of Forests as and when required.
- vi) The forest land shall not be used for any purpose other than specified in the proposal.
- vii) No felling of trees shall done during the implementation of project.
- viii) The user agency will be authorized to lay the Optical Fiber Cable outside the confines of the protected area after compliance of this order. Any breach of the conditions by the user agency will be treated as violation of the provision of Forest (Conservation) Act, 1980.
- ix) No new forest area beyond the Right of Way of existing road should be broken for laying Optical Fiber Cable.
- x) All the amount received from the User Agency under the project shall be transferred to the Adhoc Compensatory Afforestation Fund Management & Planning Authority (CAMPA) in A/c No. 15078MIN58152009693 in Corporation Bank, FCS Bangalore 21/1, 3<sup>rd</sup> Floor Jellita Towers Mission Road, Bangalore - 560027 and compliance will be reported to this office.
- xi) The compensatory afforestation will be raised on 1.00 ha. of suitable degraded forest land at the cost of project authority.
- xii) The Chief Conservator of Forests (T), Yavatmal shall report the details of amount recovered from the Project Authority towards the cost of compensatory afforestation at prevalent rate and all other cost required as per rules in due course of time.
- xiii) All the conditions stipulated by the Forest Department shall be binding on the User Agency.
- xiv) This sanction is subject to the final clearance by the Department of Information & Technology for the Project and Pusad-Bhojala-Jambazar-Chikhali-Parwa-Lakhi PWD road.
- xv) The User Agency will make good the land after use/maintenance.

  
**Principal Chief Conservator of Forests**  
**(Head of Forest Force)**  
**Maharashtra State, Nagpur**



**OFFICE OF THE PRINCIPAL CHIEF CONSERVATOR OF FORESTS (HEAD OF  
FOREST FORCE), MAHARASHTRA STATE, NAGPUR**  
ADDITIONAL PRINCIPAL CHIEF CONSERVATOR OF FORESTS AND NODAL OFFICER, MAHARASHTRA STATE, NAGPUR,  
First Floor, 'B' Wing, Van Bhavan, Civil Lines, Nagpur-440001.

Tel no. (0712) 2530166, 2556916, Fax no. (0712) 2550675 E-mail- [apccfnodal@mahaforest.gov.in](mailto:apccfnodal@mahaforest.gov.in)

**Sub : Forest land-Pusad**

Diversion of 0.118 ha. forest land for laying of underground Optical Fiber Cable in favour of Reliance JIO, Infocomm Ltd. Nagpur, passing within the existing ROW of Pusad-Bhojala-Jambazar-Chikhali-Parwa-Lakhi, MDR-32, PWD road in Comptt.No.378 of Pusad Division, Pusad.

No. : Desk-17/NC/I/I.D- / 1031 /17-18  
Nagpur - 440 001, Dated : 27/7/2017

To, ✓

The Secretary (Forests),  
Revenue and Forests Department,  
Mantralaya,  
Mumbai-32 ✓

M/s. Reliance JIO Infocomm Ltd, Nagpur, has submitted the proposal for diversion 0.118 ha. forest land for laying of underground Optical Fiber Cable passing within the existing ROW of Pusad-Bhojala-Jambazar-Chikhali-Parwa-Lakhi, MDR-32, PWD road in Comptt.No.378 of Pusad Division, Pusad. The location of project area is as given below: ✓

Sr. No.	Item	Name of the Village	Dist.	Forest Land Required						
				Survey No.	Gut NO.	Comptt No.	Length Width	Sq. Mt.	Area (in Ha)	Legal Status
1	Laying Optical Fiber Cable Line	Housapur	Yavatmal	8	33	378	2635 x 0.45	1185.75	0.118	Reserve Forest
<b>Grand Total</b>									<b>0.118</b>	

2.00 Following documents as prescribed in Government Circular, Revenue and Forest Department No.FLD-1081/2041/(A)/F-3, dated 20/03/1982 and according to Government of India's instructions issued from time to time are enclosed in two copies. ✓

- (1) Prescribed form dated 10/01/2003. ✓
  - (2) Certificate regarding minimum demand of forest land for the project. ✓
  - (3) Area Statement, ✓
  - (4) Index map in suitable scale, ✓
  - (5) The Deputy Conservator of Forest Pusad Division, Pusad has certified that the proposed project is beyond 10 km of the boundary of the Protected Area (Sanctuary and National Park). ✓
  - (6) There is no cutting and felling of trees involved in the project the certificated given by the Deputy Conservator of Forest Pusad Division, Pusad. ✓
  - (7) The Optical Fiber underground Cable Line passing through Pusad-Bhojala-Jambazar-Chikhali-Parwa- Lakhi, MDR-32, PWD road in forest Comptt. no.378 in Pusad Forest Division, Pusad alongwith Right of Way. ✓
  - (8) The user agency has submitted an undertaking to defray the cost of Compensatory Afforestation of the forest land proposed for diversion. ✓
- 3.00 The Government of India has accorded general approval under section -2 of forest (Conservation) Act 1980 vide letter no. F.No.11-9/98-FC, dt.7/09/2015 for the underground laying of optical fibre cables, telephone lines, drinking water supply pipelines, CNG/PNG pipelines within the existing right of way of roads and petroleum pipelines. The proposed Optical Fiber underground Cable Line is passing through Pusad-Bhojala-Jambazar-Chikhali- Parwa- Lakhi, MDR-32, PWD road in forest Comptt. no.378 in Pusad Forest Division, Pusad alongwith Right of Way. ✓

In view of this, the proposal is recommended for approval under section - 2 (ii) subject to the following conditions:- ✓

- i) The legal status of the land shall remain unchanged. ✓
- ii) The Optical Fiber Cable Line will be laid within maximum size of the trench of 1.00 m depth & 0.45 m width with cable line under the PVC Pipeline. ✓
- ii) The land under project will be reclaimed by the user agency for which the agency shall submit a bank guarantee at the rate of Rs. 50/- per running meter and an undertaking to that effect shall also be submitted. If the agency fails to reclaim the land to the satisfaction of Deputy Conservator of Forests concerned, the cost for reclamation will be recovered from the bank guarantee. ✓
- iii) If the cable is going to be laid in the formation width of the road, then additional charges in form of bank guarantee shall be given at the rate of Rs.35/- per running mtr. Similarly for reclamation of side drain and for tarred portion, the guarantee will be at the rate of Rs. 300/- per mtr. and Rs.750/- per mtr. respectively. An undertaking shall be obtained from the user agency that it has agreed to make good any loss to Forest/ Environment while laying the cable in the forest area and during maintenance of the same in future. ✓
- iv) For further maintenance of the project, the agency shall obtain permission from the concerned Deputy Conservator of Forests as and when required. ✓



- v) The forest land shall not be used for any purpose other than specified in the proposal. ✓
- vi) No felling of trees shall done during the implementation of project. ✓
- vii) The user agency will be authorized to lay the Optical Fiber Cable outside the confines of the protected area after compliance of this order. Any breach of the conditions by the user agency will be treated as violation of the provision of Forest (Conservation) Act, 1980. ✓
- viii) No new forest area beyond the Right of Way of existing road should be broken for laying Optical Fiber Cable. ✓
- xi) All the amount received from the User Agency under the project shall be transferred to the Adhoc Compensatory Afforestation Fund Management & Planning Authority (CAMPA) in A/c No. 15078MIN58152009693 in Corporation Bank, FCS Bangalore 21/1, 3<sup>rd</sup> Floor Jellita Towers Mission Road, Bangalore - 560027 and compliance will be reported to this office. ✓
- xi) The compensatory afforestation will be raised on 1.00 ha. of suitable degraded forest land at the cost of project authority. ✓
- x) The Chief Conservator of Forests (T), Yavatmal shall report the details of amount recovered from the Project Authority towards the cost of compensatory afforestation at prevalent rate and all other cost required as per rules in due course of time. ✓
- xi) All the conditions stipulated by the Forest Department shall be binding on the User Agency. ✓
- xii) This sanction is subject to the final clearance by the Department of Information & Technology for the Project and Pusad-Bhojala-Jambazar-Chikhali-Parwa-Lakhi, MDR-32, PWD road. ✓
- xiii) The User Agency will make good the land after use/maintenance. ✓

It is, therefore, requested that in view of the general approval accorded by Government of India vide letter dt.7/9/2015 for the underground laying of optical fibre cables, telephone lines, drinking water supply pipelines, CNG/PNG pipelines within the existing right of way of roads and petroleum pipelines, the Government of Maharashtra may kindly be moved for diverting diversion of 0.118 ha. forest land for laying of underground Optical Fiber Cable in favour of Reliance JIO Infocomm Ltd. Nagpur, passing within the existing ROW of Pusad-Bhojala-Jambazar-Chikhali-Parwa-Lakhi, MDR-32, PWD road in Comptt.No.378 of Pusad Division, Pusad, under section 2 (ii) of Forest (Conservation) Act-1980. ✓


Encl. :- Proposal 2 copies

  
Addl. Principal Chief Conservator of Forests  
& Nodal Officer,  
Maharashtra State, Nagpur.

Copy to Chief Conservator of Forests (T), Yavatmal for information.

Copy to Deputy Conservator of Forests, Pusad Division, Pusad for information.

Copy to M/s. Reliance JIO Infocom Ltd. Ltd E3 MIDC, Hingana Raod, Nagpur Maharashtra for information.

  
27/11/2017