### PART-IV

# 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.:- M/s. Reliance JIO, Infocomm Ltd, Hingna Road, Nagpur submitted the proposal for laying of Optical Fiber Cable line along State Highway -30 & State Highway -77 from route Amboli – Vikramgad in Tal-Mokhada, Jawhar & Vikramgad in Palghar district of Maharashtra State, for which 0.6772 ha. Protected/Reserved/Private forest land required under Section – 2 (ii) of the Forest (Conservation) Act, 1980 has been proposed by user agency. The details of the forest land proposed for diversion is as under :-

Sr. No.	Name of Village	Surve y No.	Gut No.	Comp. No.	Lengt h in mtr	Width in mtr	Area in Sq. mtr	Area (Ha.)	Legal Status
1.	Dandaval	54	98	-	560	0.500	280	0.0280	PF (Restored under 22A)
		55	56	•	211	0.500	105.5	0.0106	PF (Restored under 22A)
		139 B			160	0.500	80	0.0080	PF
2.	Gonde Bk.	139 B 173	-	-	560	0.500	280	0.0280	PF
		433	-	-	126	0.500	63	0.0063	PF
3.	Mokhada	115	1-	-	350	0.500	175	0.0175	PF
4. 5.	Sakhari Poshere	234,	-		390	0.500	195	0.0195	PF
-		231	1	-	200	0.500	100	0.0100	PF
6.	Jawhar	60	23	253	1338	0.500	669	0.0669	RF
7.	Kasatwadi	1	1	-	323	0.500	162	0.0162	RF
		54	45	-	149	0.500	75	0.0075	RF
		6	6	-	369	0.500	185	0.0185	RF
		5	5	-	139	0.500	70	0.0070	RF
		7	7	-	282	0.500	141	0.0141	RF
		8	20	252	645	0.500	323	0.0323	RF
8.	Garadwadi	25	36	256	1650	0.500	825	0.0825	RF
9.	Kashivali	44	105	-	116	0.500	58	0.0058	RF
		9	95	-	450	0.500	225	0.0225	PF
10	Walwande	59	161	258	730	0.500	365	0.0365	RF
10.	Sakhre	38	18	-	160	0.500	80	0.0080	PF
11.	Jambhe	78	140	233	3030	0.500	1515	0.1515	RF (FDCM)
12.	Jamone	75	132	-	550	0.500	275	0.0275	PF
12	Vikaramgac		185	-	550	0.500	275	0.0275	
13.		2	5	-	500	0.500	250	0.0250	
14. Tot		-						0.6772	

Summary

Reserved	Protected Forest in ha.	Private Forest in ha.	Total in ha	
Forest in ha		0.0296	0.6772	
0.4388	0.1998	0.0386	0.0772	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 37A.

Date : 24 /04/2019 Place : Nagpur (Sanjeev Gaur) Additional Principal Chief Conservator of Forests & Nodal Officer

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## Diversion of 0.6772 ha. Protected Forest/Reserved Forest /Private Forest land for laying of underground Optical Fiber Cable Line along SH-30 & SH-77 from route Amboli – Vikramgad in Tal-Jawhar and Vikramgad, Distt-Palghar

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.

The proposal is for diversion of 0.6772 ha. Protected/Reserved/Private Forest land under Section-2 (ii) of the Forest (Conservation) Act,1980 for laying of Optical Fiber Cable line along State Highway -30 & State Highway -77 from route Amboli – Vikramgad in Tal-Mokhada, Jawhar & Vikramgad in Palghar district of Maharashtra. Total non forest area involved in the project is 2.38435 ha. The details of forest land proposed for the project is as under :-

Sr. No.	Name of Village	Survey No.	Gut No.	Comp. No.	Length in mtr	Width in mtr	Area in Sq. mtr	Area (Ha.)	Legal Status
1.	Dandaval	54	98	-	560	0.500	280	0.0280 /	PF (Restored under 22A)
		55	56	-	211	0.500	105.5	0.0106 /	PF (Restored under 22A)
2.	Gonde Bk.	139 B	+		160	0.500	80	0.0080	PF
		173	, <del>-</del>	-	560	0.500	280	0.0280 /	PF
3.	Mokhada	433	-	-	126	0.500	63	0.0063 /	PF
4.	Sakhari	115	-	-	350	0.500	175	0.0175 /	PF
5.	Poshere	234, 231	-	-	390	0.500	195	0.0195 /	PF
6.	Jawhar	-	1	-	200	0.500	100	0.0100 /	PF
7.	Kasatwadi	60	23	253	1338	0.500	669	0.0669 /	RF
		1	1	-	323	0.500	162	0.0162	RF
		54	45	-	149	0.500	75	0.0075	RF
		6	6	-	369	0.500	185	0.0185	RF
		5	5	-	139	0.500	70	0.0070 /	RF
		7	7	-	282	0.500	141	0.0141 /	RF
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		44	105	-	116	0.500	58	0.0058	RF
		9	95	-	450	0.500	225	0.0225	PF
10.	Walwande	59	161	258	730	0.500	365	0.0365 /	RF
11.	Sakhre	38	18	-	160	0.500	80	0.0080 /	PF
12.	Jambhe	78	140	233	3030	0.500	1515	0.1515 /	RF (FDCM)
		75	132	-	550	0.500	275	0.0275 -	PF
13.	Vikaramgad	60	185	-	550	0.500	275	0.0275 /	PF
14.	Onde	2	5	-	500	0.500	250	0.0250 /	PF
	L						Total	0.6772 /	

#### Summary

Reserved	Protected	Private Forest	Total in
Forest in ha	Forest in ha.	in ha.	ha
0.4388	0.1998 /	0.0386	0.6772

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The project has been initiated by M/s. Reliance JIO, Infocomm Ltd, Hingna Road , Nagpur, for laying of Optical Fiber Cable line along State Highway -30 & State Highway -77 from route Amboli -Vikramgad in Tal-Mokhada, Jawhar & Vikramgad in Palghar district of Maharashtra. 🖉

M/s. Reliance JIO, Infocomm Ltd, is setting up a pan India telecom network to provide to the highly under serviced India Market, reliable (4th generation) high -speed internet connectivity rich communication services and various digital services on pan India basis in key domains such as education, healthcare, security, financial services, government citizen interfaces and entertainment. RJIL aims to provide anytime anywhere access to innovative and empowering digital content, applications and services thereby propelling India into global leadership in digital economy. Keeping in mind the above. the project authority has submitted the proposal for diversion of 0.6772 ha Protected/Reserved/Private Forest land under Section-2 (ii) of the Forest (Conservation) Act, 1980 for laying of Optical Fiber Cable line along State Highway -30 & State Highway -77 from route Amboli -Vikramgad in Tal-Mokhada, Jawhar & Vikramgad in Palghar district of Maharashtra.

c | 87 The aforesaid project is pursuant to the directives issued by the Government of India MOEF (FC Division) vide their letter No. 11-9/98-FC dated 13/02/2014 and GOI Ministry of C179 Communications & IT Department of Telecommunications vide their letter No 10-31/2011-CS-III, dt 23/06/2011.

Govt of Maharashtra, Executive Engineer, Public Works Division, Jawhar accorded p 4-7 permission for laying utility vide letter No PWD/Div/Jawhar/3981 dated 18/12/2017, PWD/Div/Jawhar/3900 dated 18/12/2017, PWD/Div/Jawhar/3978 dated 18/12/2017 and PWD/Div/Jawhar/3979 dated 18/12/2017.

c 9] Government of India has conveyed its general approval vide letter No. 11-9/98-FC dated 13/02/2014 & 21/08/2014 for 13 activities subject to some conditions under secton-2 of the Forest < 87 (Conservation) Act, 1980 for diversion not more than 1.00 ha forest land to Government Departments, Government undertakings, Boards, Corporations and various user agencies. 'Electric c 97 and telecommunication lines is included in these 13 activities. The validity of General approval under section 2(ii) of FC Act, 1980 has been extended up to 31/12/2020 vide GOI letter dated 15/02/2018

The Chief Conservator of Forests (T), Thane vide letter No Desk-10/FCA/CR-73/18-19/OW-759/18-19 dated 29/12/2018 and dated 14/03/2019 has submitted the proposal in prescribed form c 69 alongwith following documents :-

- The Deputy Conservator of Forests, Jawhar has submitted the following 4.1 certificate 🛩
- P155 There is no alternative for the project and the forest land required is the barest 4.1.1 minimum
- The provision of the Forest (Conservation) Act, 1980 and guidelines under it, has PII 4.1.2 been violated by the user agency . Violation report is enclosed with the proposal. P112-2

The User Agency i.e. Reliance Jio Infocom Ltd has committed an offence by digging/trenching in the Protected Forest, Survey No 38, Village-Sakhare, Range-Vikramgad, in Jawhar Forest Division. An offence was booked under Indian Forest C 91 Act 1927 under Section 33(1). The accused was arrested and was produced before Judicial Magistrate First Class Jawhar Court dated 10/04/2018. The complaint case against offender has been registered in the Court of Judicial Magistrate First Class Jawhar on 25/02/2019 bearing Court Case No SCC/13/2019

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4.1.3	The area involved in the project is not included in the area of any National Park, Wildlife Sanctuary, Nature Reserve.	P/80
4.1.4	The project area is beyond 10 Kms of the boundary of protected area (Sanctuary and National Park).	P[8]
4.1.5	There is no cutting and felling of trees involved in the project.	p162
4.1.6	1.00 ha degraded forest land of Compt No 1 at Vill-Nimbapur, Tal-Dahanu, Distt- Palghar identified for compensatory afforestation and is suitable for afforestation and Management purpose and it is free from encroachment and an	p/64
	encumbrances,	P/21-22
4.1.7	The proposed project area belong Eco Value Class I, Dense Forest, density 0.4	
4.1.8	The proposed area is not likely to affect any monument site of cultural, historical, religious, archeological or recreational importance.	P179
4.1.9	The laying of underground OFC along SH-30 & SH-77 from route Amboli-Vikramgad proposed along the road and forms part of the ROW.	P/76
4.1.10	The non forest land 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 are not recognized as deemed reserved forest as well as not included in the area identified as "Forest" as per dictionary meaning of forest as intimated to the expert committee under interim judgment of the Hon'ble Supreme Court dated 12/12/1996	P/75
4.1.11	The MD, FDCM, Ltd vide their letter dated 16/11/2018 intimated that 1515 Sq Mtr area of FDCM at Vill Jambha, Compt No 233 Gut No 144 is affected by the proposed project. FDCM has accorded no objection subject to user agency should submit the undertaking stating that not to loss of FDCM property (Tree).	P/34
4.1.12	The Deputy Conservator of Forest, Jawhar has submitted the site inspection report dated 10/10/2018.	P/82-8
4.2	The User Agency has submitted the following undertakings :-	
4.2.1	To defray the cost of Net Present Value	P/63
4.2.2	To defray the cost as determined by the Forest Department for compensatory afforesation on degraded forest land	P/63A
4.2.3	Project Authority accepted the offence and agrees to pay penalty and penal compensation as per Forest Conservation Act, 1980	P/61
4.2.4	in a second with state likely way have sattlement of rights in	P/9]
4.2.5	with the back to its aviginal level by proper back filling after	P/58
4.2.6	The project authority has agrees to provide 2MBPS Bandwidth independently at free of cost, to Forest Department. The case is forwarded to Reliance JIO Infocomm Ltd and further action will be taken as per guidelines issued by RJIL HQ.	P/60

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5. The Deputy Conservator of Forest, Jawhar has recommended the proposal. P/35

6. Chief Conservator of Forests (T), Thane has recommended the proposal P/3C

- 7. In view of this, the proposal is recommended for approval under section 2 (ii) subject to the following conditions.
  - 7.1 The legal status of the land shall remain unchanged.
  - 7.2 The compensatory afforestation will be raised on 1.00 ha. degraded forest land at the cost of project authority, in Compt No 1 at Vill-Nimbapur, Tal-Dahanu, Distt-Palghar. As per GOI guidelines dated 08/11/2017 at least 1000 plants per ha. to be planted on degraded forest land identified for compensatory afforestation.
  - 7.3 Penal Compensatory afforestation will be raised at the cost of the user agency on 1.00
    Ha. of degraded forest land identified by State Forest Department.
  - 7.4 Net Present Value is exempted for laying of underground optical Fibre cable as per GOI guidelines No 5-3/2007-FC dated 05/02/2009. However, For violation of FCA, 1980 as penalty, the user agency will defray the cost (equal to NPV of forest land per hectare for each year of violation from the date of actual diversion as reported by the inspecting officer with maximum upto (5) five times the NPV plus 12 percent simple interest till the deposit is made in accordance with Government of India advisory number 11-42/2017- FC, dated 29/01/2018.
  - 7.5 The optical fiber cable line will be laid within maximum size of the trench of 2.00 m depth & 1.00 m width with cable line under the PVC Pipeline.
  - 7.6 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
  - 7.7 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.
  - 7.8 For further maintenance of the project, the user agency shall obtain permission from the concerned Deputy Conservator of Forests as and when required.
  - 7.9 The forest land shall not be used for any purpose other than specified in the proposal.
  - 7.10 No felling of trees shall be done during the implementation of project.
  - 7.11 No new forest area beyond the Right of Way of existing road should be broken for laying Optical Fiber Cable,
  - 7.12 The Chief Conservator of Forests (T), Thane 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.

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- 7.13 The user agency will make good the land after use/maintenance
- 7.14 All the amount received from the user agency under the project shall be transferred to the Ad-hoc Compensatory Afforestation Fund Management & Planning Authority (CAMPA) in A/c No. SB01025218 of Corporation Bank, Block-11, CGO Complex, Phase-I, Lodhi Road, New Delhi-110 003 and compliance will be reported to this office for record.
- 7.15 The sanction will be subject to the final clearance by the Department of Information & Technology, GOI in pursuance to their letter dated 23/06/2011 and concerned PWD authorities for the project.
- 7.16 The user agency will be authorized to lay the Optical Fiber Cable only outside the confines of the protected area. Any breach of the conditions by the user agency will be treated as violation of the provision of Forest (Conservation) Act, 1980.
- 7.17 The user agency shall compensate the private owner of forest land, if any in accordance with the prevalent laws, rules and guidelines.
- 7.18 The user agency shall submit the undertaking regarding not to cause loss of FDCM property (Tree) in 1515 Sq Mtr area of FDCM at Vill Jambha , Compt No 233 Gut No 144 affected in the proposed project.
- 7.19 All the conditions stipulated by the Forest Department shall be binding on the user agency
- 7.20 All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied with by the user agency.
- 7.21 All necessary approvals required for the project as per prevailing laws of the land would be obtained by the user agency before statutory sanction.

(U K Agrawal) Principal Chief Conservator of Forests (Head of Forest Force) Maharashtra State, Nagpur S.D. Walkas Juaphill 101412019 10/04/2019



## Office of the Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State

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) 2556916, Fax no. (0712) 2550675

Certified by ISO , 9001:2015 <u>E-mail- ap</u>

E-mail- apccfnodal@mahaforest.gov.in Website: www.mahaforest.gov.in

Sub.:- Proposal for diversion of 0.6772 ha. Protected /Reserved/ Private Forest land in favour M/s Reliance JIO Infocomm Ltd, Nagpur for laying of underground optical Fiber Cable line along SH-30 & SH-77 from route Amboli-Vikramgad in Tal-Jawhar and Vikramgad in Palghar district.

No.: Desk-17/NC/II/ID 12692/(68)/ 76 /2019-20 Nagpur - 440 001, Dated: 24/04/20/9

To,

The Principal Secretary (Forests),

Revenue and Forests Department,

Mantralaya, Mumbai-32

Ref:- CCF (T) Thane letter No. Desk-10/FCA/CR-73/18-19/OW-759/18-19 dated 29/12/2018.

The proposal is for diversion of 0.6772 ha. Protected/Reserved/Private Forest land under Section-2 (ii) of the Forest (Conservation) Act,1980 for laying of Optical Fiber Cable line along State Highway -30 & State Highway -77 from route Amboli – Vikramgad in Tal-Mokhada, Jawhar & Vikramgad in Palghar district of Maharashtra. Total non forest area involved in the project is 2.38435 ha. The details of forest land proposed for the project is as under:

Village Dandaval Gonde Bk.	54 55	98 56	-	560	0.500	280	0.0280	PF (Restored
Gonde Bk.	55	56						under 22A)
Gonde Bk.			-	211	0.500	105.5	0.0106	PF (Restored under 22A)
Bolline Fill	139 B	-	-	160	0.500	80	0.0080	PF
	173	-	-	560	0.500	280	0.0280 /	PF
Mokhada	433	-	-	126	0.500	63	0.0063 /	PF
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Jawhar	-	1	-	200	0.500	100	0.0100 -	PF
	60	23	253	1338	0.500	669	0.0669	RF
	1	1	-	323	0.500	162	0.0162 -	RF
	54	45	-	149	0.500	75	0.0075	RF
	6	6	-	369	0.500	185	0.0185 <	RF
	5	5	-	139	0.500	70	0.0070 /	RF
	7	7	-	282	0.500	141	0.0141 /	RF
Garadwadi	8	20	252	645	0.500	323	0.0323	RF
	Poshere Jawhar Kasatwadi	Sakhari    115      Poshere    234,      231    231      Jawhar    -      Kasatwadi    60      1    54      6    5      5    7	Sakhari    115    -      Poshere    234,    -      231    -    231      Jawhar    -    1      Kasatwadi    60    23      1    1    1      54    45    6      5    5    7	Sakhari    115    -    -      Poshere    234,    -    -      231    -    -    -      Jawhar    -    1    -      Kasatwadi    60    23    253      1    1    -    -      54    45    -    -      6    6    -    -      5    5    -    -      7    7    -    -	Sakhari    115    -    -    350      Poshere    234,    -    -    390      231    -    -    390      Jawhar    -    1    -    200      Kasatwadi    60    23    253    1338      1    1    -    323      54    45    -    149      6    6    -    369      5    5    -    139      7    7    -    282	Sakhari      115      -      -      350      0.500 <td>Niokindu      135      -      -      350      0.500      175        Sakhari      115      -      -      350      0.500      175        Poshere      234,      -      -      390      0.500      195        Jawhar      -      1      -      200      0.500      100        Kasatwadi      60      23      253      1338      0.500      669        1      1      -      323      0.500      162        54      45      -      149      0.500      75        6      6      -      369      0.500      185        5      5      -      139      0.500      70        7      7      -      282      0.500      141</td> <td>Moknada      435      -      350      0.500      175      0.0175        Sakhari      115      -      -      350      0.500      175      0.0175        Poshere      234,      -      -      390      0.500      195      0.0195        Jawhar      -      1      -      200      0.500      100      0.0100        Kasatwadi      60      23      253      1338      0.500      669      0.0669        1      1      -      323      0.500      162      0.0162        54      45      -      149      0.500      75      0.0075        6      6      -      369      0.500      185      0.0185        5      5      -      139      0.500      70      0.0070        7      7      -      282      0.500      141      0.0141</td>	Niokindu      135      -      -      350      0.500      175        Sakhari      115      -      -      350      0.500      175        Poshere      234,      -      -      390      0.500      195        Jawhar      -      1      -      200      0.500      100        Kasatwadi      60      23      253      1338      0.500      669        1      1      -      323      0.500      162        54      45      -      149      0.500      75        6      6      -      369      0.500      185        5      5      -      139      0.500      70        7      7      -      282      0.500      141	Moknada      435      -      350      0.500      175      0.0175        Sakhari      115      -      -      350      0.500      175      0.0175        Poshere      234,      -      -      390      0.500      195      0.0195        Jawhar      -      1      -      200      0.500      100      0.0100        Kasatwadi      60      23      253      1338      0.500      669      0.0669        1      1      -      323      0.500      162      0.0162        54      45      -      149      0.500      75      0.0075        6      6      -      369      0.500      185      0.0185        5      5      -      139      0.500      70      0.0070        7      7      -      282      0.500      141      0.0141

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9.	Kashivali	25	36	256	1650	0.500	825	0.0825	RF
		44	105	-	116	0.500	58	0.0058	RF
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Tota	1	-		(1) (1)				0.6772	

#### Summary

Reserved	Protected	Private Forest	Total in
Forest in ha	Forest in ha.	in ha.	ha
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2.1 The project has been initiated by M/s. Reliance JIO, Infocomm Ltd, Hingna Road, Nagpur, for laying of Optical Fiber Cable line along State Highway -30 & State Highway -77 from route Amboli – Vikramgad in Tal-Mokhada, Jawhar & Vikramgad in Palghar district of Maharashtra.

2.2 M/s. Reliance JIO, Infocomm Ltd, is setting up a pan India telecom network to provide to the highly under serviced India Market, reliable (4<sup>th</sup> generation) high –speed internet connectivity rich communication services and various digital services on pan India basis in key domains such as education, healthcare, security, financial services, government citizen interfaces and entertainment. RJIL aims to provide anytime anywhere access to innovative and empowering digital content, applications and services thereby propelling India into global leadership in digital economy. Keeping in mind the above, the project authority has submitted the proposal for diversion of 0.6772 ha Protected/Reserved/Private Forest land under Section-2 (ii) of the Forest (Conservation) Act,1980 for laying of Optical Fiber Cable line along State Highway -30 & State Highway -77 from route Amboli – Vikramgad in Tal-Mokhada, Jawhar & Vikramgad in Palghar district of Maharashtra.

2.3 The aforesaid project is pursuant to the directives issued by the Government of India MOEF (FC Division) vide their letter No. 11-9/98-FC dated 13/02/2014 and GOI Ministry of Communications & IT Department of Telecommunications vide their letter No 10-31/2011-CS-III, dt 23/06/2011.

2.4 Govt of Maharashtra, Executive Engineer, Public Works Division, Jawhar accorded permission for laying utility vide letter No PWD/Div/Jawhar/3981 dated 18/12/2017, PWD/Div/Jawhar/3900 dated 18/12/2017, PWD/Div/Jawhar/3978 dated 18/12/2017 and PWD/Div/Jawhar/3979 dated 18/12/2017.

3. Government of India has conveyed its general approval vide letter No. 11-9/98-FC dated 13/02/2014 & 21/08/2014 for 13 activities subject to some conditions under secton-2 of the Forest (Conservation) Act, 1980 for diversion not more than 1.00 ha forest land to Government Departments, Government undertakings, Boards, Corporations and various user agencies. 'Electric and telecommunication lines is included in these 13 activities. The validity of General approval under section 2(ii) of FC Act, 1980 has been extended up to 31/12/2020 vide GOI letter dated 15/02/2018.

- 4.1 The Deputy Conservator of Forests, Jawhar has submitted the following certificate :--
  - 4.1.1 There is no alternative for the project and the forest land required is the barest minimum.
- 4.1.2 The provision of the Forest (Conservation) Act, 1980 and guidelines under it, has been violated by the user agency . Violation report is enclosed with the proposal.

The User Agency i.e. Reliance Jio Infocom Ltd has committed an offence by digging/trenching in the Protected Forest, Survey No 38, Village-Sakhare, Range-Vikramgad, in Jawhar Forest Division. An offence was booked under Indian Forest Act 1927 under Section 33(1). The accused was arrested and was produced before Judicial Magistrate First Class Jawhar Court dated 10/04/2018. The complaint case against offender has been registered in the Court of Judicial Magistrate First Class Jawhar on 25/02/2019 bearing Court Case No SCC/13/2019.

- 4.1.3 The area involved in the project is not included in the area of any National Park, Wildlife Sanctuary, Nature Reserve.
- 4.1.4 The project area is beyond 10 Kms of the boundary of protected area (Sanctuary and National Park).
- 4.1.5 There is no cutting and felling of trees involved in the project.
- 4.1.6 1.00 ha degraded forest land of Compt No 1 at Vill-Nimbapur, Tal-Dahanu, Distt-Palghar identified for compensatory afforestation and is suitable for afforestation and Management purpose and it is free from encroachment and an encumbrances.
- 4.1.7 The proposed project area belong Eco Value Class I, Dense Forest, density 0.4
- 4.1.8 The proposed area is not likely to affect any monument site of cultural, historical, religious, archeological or recreational importance.
- 4.1.9 The laying of underground OFC along SH-30 & SH-77 from route Amboli-Vikramgad proposed along the road and forms part of the ROW.
- 4.1.10 The non forest land 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 are not recognized as deemed reserved forest as well as not included in the area identified as "Forest" as per dictionary meaning of forest as intimated to the expert committee under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.
- 4.1.11 The MD, FDCM, Ltd vide their letter dated 16/11/2018 intimated that 1515 Sq Mtr area of FDCM at Vill Jambha, Compt No 233 Gut No 144 is affected by the proposed project. FDCM has accorded no objection subject to user agency should submit the undertaking stating that not to loss of FDCM property (Tree).

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- 4.1.12 The Deputy Conservator of Forest, Jawhar has submitted the site inspection report dated 10/10/2018 -
- 4.2 The User Agency has submitted the following undertakings :-
- 4.2.1 To defray the cost of Net Present Value .
- 4.2.2 To defray the cost as determined by the Forest Department for compensatory afforesation on degraded forest land
- 4.2.3 Project Authority accepted the offence and agrees to pay penalty and penal compensation as per Forest Conservation Act, 1980
- 4.2.4 The project is in ROW alongwith State Highway, hence settlement of rights in accordance with the Scheduled Tribes and other Traditional Forest Dwellers (Recognition of Forest Rights) Act -2006 not required. However it required the same will be submitted.
- 4.2.5 User Agency will level the land to its original level by proper back filling, after laying underground OFC along SH-30 & SH-77.
- 4.2.6 The project authority has agrees to provide 2MBPS Bandwidth independently at free of cost, to Forest Department. The case is forwarded to Reliance JIO Infocomm Ltd and further action will be taken as per guidelines issued by RJIL HQ.
- 5. The Deputy Conservator of Forest, Jawhar has recommended the proposal.
- 6. Chief Conservator of Forests (T), Thane has recommended the proposal

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

- 7.1 The legal status of the land shall remain unchanged.
- 7.2 The compensatory afforestation will be raised on 1.00 ha. degraded forest land at the cost of project authority, in Compt No 1 at Vill-Nimbapur, Tal-Dahanu, Distt-Palghar. As per GOI guidelines dated 08/11/2017 at least 1000 plants per ha. to be planted on degraded forest land identified for compensatory afforestation.
- 7.3 Penal Compensatory afforestation will be raised at the cost of the user agency on 1.00 Ha. of degraded forest land identified by State Forest Department.
- 7.4 Net Present Value is exempted for laying of underground optical Fibre cable as per GOI guidelines No 5-3/2007-FC dated 05/02/2009. However, For violation of FCA, 1980 as penalty, the user agency will defray the cost (equal to NPV of forest land per hectare for each year of violation from the date of actual diversion as reported by the inspecting officer with maximum upto (5) five times the NPV plus 12 percent simple interest till the deposit is made in accordance with Government of India advisory number 11-42/2017- FC, dated 29/01/2018.
- 7.5 The optical fiber cable line will be laid within maximum size of the trench of 2.00 m depth & 1.00 m width with cable line under the PVC Pipeline.

- 7.6 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.
- 7.7 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.
- 7.8 For further maintenance of the project, the user agency shall obtain permission from the concerned Deputy Conservator of Forests as and when required.
- 7.9 The forest land shall not be used for any purpose other than specified in the proposal.
- 7.10 No felling of trees shall be done during the implementation of project.
- 7.11 No new forest area beyond the Right of Way of existing road should be broken for laying Optical Fiber Cable.
- 7.12 The Chief Conservator of Forests (T), Thane 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.
- 7.13 The user agency will make good the land after use/maintenance
- 7.14 All the amount received from the user agency under the project shall be transferred to the Ad-hoc Compensatory Afforestation Fund Management & Planning Authority (CAMPA) in A/c No. SB01025218 of Corporation Bank, Block-11, CGO Complex, Phase-I, Lodhi Road, New Delhi-110 003 and compliance will be reported to this office for record.
- 7.15 The sanction will be subject to the final clearance by the Department of Information & Technology, GOI in pursuance to their letter dated 23/06/2011 and concerned PWD authorities for the project.
- 7.16 The user agency will be authorized to lay the Optical Fiber Cable only outside the confines of the protected area. Any breach of the conditions by the user agency will be treated as violation of the provision of Forest (Conservation) Act, 1980.
- 7.17 The user agency shall compensate the private owner of forest land, if any in accordance with the prevalent laws, rules and guidelines.
- 7.18 The user agency shall submit the undertaking regarding not to cause loss of FDCM property (Tree) in 1515 Sq Mtr area of FDCM at Vill Jambha , Compt No 233 Gut No 144 affected in the proposed project.
- 7.19 All the conditions stipulated by the Forest Department shall be binding on the user agency.

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- 7.20 All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied with by the user agency.
- 7.21 All necessary approvals required for the project as per prevailing laws of the land would be obtained by the user agency before statutory sanction.

In view of para 3 above, it is requested that the Government of Maharashtra may kindly be accord general approval for diversion of 0.6772 ha Protected/Reserved/Private forest land in favour of M/s. Reliance JIO, Infocomm Ltd. Nagpur for laying of Optical Fiber Cable line along State Highway -30 & State Highway -77 from route Amboli – Vikramgad in Tal-Mokhada, Jawhar & Vikramgad in Palghar district of Maharashtra State under section 2 (ii) of the Forest (Conservation) Act ,1980.

Encls : As above 🗸

S.D.W 22/4/2019

(Sanjeev Gaur) Additional Principal Chief Conservator of Forests & Nodal Officer, 111

Copy forwarded to Chief Conservator of Forests, (T) Thane for information. Copy forwarded to Deputy Conservator of Forests, Jawhar for information. Copy forwarded to M/s. Reliance JIO, Infocomm Ltd, E3 MIDC, Opposite Tata Motors , Hingna Road , Nagpur for information.