

**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

Sub:- Proposal for diversion of 0.04606 ha. forest land for laying underground Optical Fiber Cable of Telesonic Network Limited project along with NH-6 (Wadi-Karanja-Tivsa) Km. Ch.9/200 to 50/000) in district Nagpur in the State of Maharashtra
(FP/MH/OFC/139578/2021).

No. : Desk-17/Nodal/Nagpur /I.D-13041/2019 /2021-22
Nagpur – 440 001, Dated 10/01/2022

To,
The Principal Secretary (Forests),
Revenue & Forest Department,
Mantralaya, Mumbai – 400032

M/s. Telesonic Network Limited, 4th floor Nikalas Tower, Ramdaspath, Nagpur has submitted proposal for diversion of 0.04606 ha. forest land for laying underground Optical Fiber Cable of Telesonic Network Limited project along with NH-6 (Wadi-Karanja-Tivsa) Km. Ch.9/200 to 50/000) in district Nagpur in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No.	Item	Name of the Village	Sur. No.	Length x width (in Mtr)	Area (in Ha)	Remarks
1	laying underground Optical Fiber Cable of Telesonic Network Limited project along with NH-6 (Wadi-Karanja-Tivsa) Km. Ch.9/200 to 50/000) in district Nagpur in the State of Maharashtra	Waddhamana	90	404.000 x 0.5	0.02020	Zudpi Jungle
2		Gondkhairi	405	12.630 x 0.5	0.00063	Zudpi Jungle
3			404	19.554 x 0.5	0.00098	Zudpi Jungle
4		Ringnabodi	102	149.000 x 0.5	0.00745	Protected Forest
5				188.000 x 0.5	0.00940	Protected Forest
6			120	148.000 x 0.5	0.00740	Protected Forest
Total Forest Area (in ha.)					0.04606	

2.00 The project has been initiated by M/s. Telesonic Network Limited, 4th floor Nikalas Tower, Ramdaspath, Nagpur for seeking approval under Forest (Conservation) Act, 1980 for laying underground Optical Fiber Cable line from NH-6 Wadi-Karanja-Tivsa Km.Ch. 9/200 to 50/000 in District Nagpur is passing through Survey No.90,405.404,102 & 120 of Village Waddhamana, Gondkhairi and Ringnabodi in Nagpur Forest Division. The aforesaid project is pursuant to the directives issued by the Government of India, Ministry of Communication & IT Department of Telecommunication vide their letter No. 222/2008,dt.19/09/2008. The User Agency has highlighted that as per the policy of the Government of India, it is planned to lay Optical Fiber Cable for reliable communication from remote place to District/State Headquarters. Basic aim of the project is to provide the people of under developed areas with reliable and high speed media connectivity. In this regard, the User Agency has submitted the proposal for diversion 0.04606 ha forest land under the Forest (Conservation) Act, 1980. The site inspection report of the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur is enclosed on page no. 39 to 40.

3.00 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 three copies.

- 3.1 Prescribed form dated 10/01/2003.
- 3.2 Certificate regarding minimum demand of forest land for the project,
- 3.3 Area Statement,
- 3.4 Index map in suitable scale,

4.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that:-

- 4.1 no suitable alternate land is available and the forest land required is lowest minimum.
- 4.2 the area belongs to Eco-value class-III and having density is below 0.1 comes under Southern Tropical Dry Deciduous Forests
- 4.3 there is no cutting and felling of trees involved in this project
- 4.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 4.6 there is no violation of Forest (Conservation) Act 1980.
- 4.7 the proposed area for the project is beyond 10 kms from the boundary of the protected area (Sanctuary and National Park).
- 4.8 the 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 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 appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.

- 4.9 proposed Compensatory Afforestation over 1.00 ha. Zudpi Jungle land of the total area 2.34 ha. in Survey No.11 at Village Ubagi, Taluka Kalmeshwar, Dist. Nagpur and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrances.

5.00 The User Agency has submitted an undertaking that:-

- 5.1 to defray the cost of compensatory afforestation.
- 5.2 to defray the cost of Net Present Value of the forest land proposed under diversion.
- 5.3 the alignment of the trench shall be varied shall ensure no damage and safety of existing tree growth.
- 5.4 the project is in ROW alongwith the State Highway, hence settlement of rights in accordance with Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is not required.
- 5.5 The Government of India has conveyed its general approval under the Section-2(ii) of the Forest (Conservation) Act, 1980 vide Chapter 4 of comprehensive guidelines issued vide letter No.5-2/2017-FC, dt. 28/3/2019 for 15 activities 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 15 activities. The validity of General approval under section 2 (ii) of FC Act, 1980 has been extended up to 31/12/2020 vide Government of India letter dt.15/2/2018. The proposed Optical Cable line from NH-6 (Wadi-Karanja-Tivsa) Km.9/200 to 50/000 in District Nagpur is passing through forest area in Survey No. No.90,405.404,102 & 120 of Village Waddhamana, Gondkhairi and Ringnabodi in Nagpur Forest Division of the Maharashtra State.
- 5.6 The copy of the administrative approval accorded by the Government of Maharashtra, Directorate of Information and Technology, General Administrative Department No. Matsa 11066/C.R.No.102/2020, dated 04/12/2020
- 5.7 The copy of the NOC accorded by the General Manager (Tech), National Highway Authority of India vide letter No.NHAI/RO-NAG/UT-78/NH-53/Airtel/2021-22/2132, dated 28/09/2021 is enclosed on page no. 57.
- 6.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur and Conservator of Forest (T), Nagpur have recommended the proposal for diversion of 0.04606 ha. of forest land.

7.00 In view of this, the proposal is recommended for approval under the section -2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions: –

- i) The legal status of the land shall remain unchanged.
- ii) As per Government of India guidelines No.FC-11/165/2019, FC dt.27/7/2020 the compensatory afforestation may not be levied in case of laying of underground Optical Fiber Cables(OFC). Therefore the cost of compensatory afforestation may not be insist upon the User Agency.
- iii) Net Present Value is exempted for laying of underground Optical Fiber Cable as per the Government of India guidelines.
- iv) The Optical Fiber Cable Line will be laid within maximum size of the trench of 2.00 m depth & 1.0 m width with cable line under the PVC Pipeline.
- v) 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.
- vi) 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. For further maintenance of the project, the agency shall obtain permission from the Forest Department as and when required.
- vii) The forest land shall not be used for any purpose other than specified in the proposal.
- viii) No felling of trees shall done during the implementation of project.
- ix) 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.
- x) No new forest area beyond the Right of Way of existing road should be broken for laying Optical Fiber Cable.
- xi) No labour camps shall be established on the forest land.
- xii) The layout plan of the proposal shall not be changed without prior approval of the Central Government.

- xiii) The sanction will be subject to final clearance as per the directives issued by the Government of India, Ministry of Communication & IT Department of Telecommunication vide their letter No. 222/2008, dt. 19/09/2008 and concerned PWD authorities of the project.
- xiv) The User Agency will be authorized to lay the Optical Cable only outside the confines of the Protected Area. Any breach of the said condition by the User Agency will be treated as violation of the provisions of the Forest (Conservation) Act, 1980.
- xv) All the conditions stipulated by the Forest Department shall be binding on the User Agency.
- xvi) All other conditions as may be mandatory under relevant Act, Rules and Guidelines shall be complied with by the User Agency.
- xvii) All necessary approvals required for the project as per the prevailing laws of the land would be obtained by the User Agency before statutory sanctions.
- xviii) The User Agency will make good the land after use/maintenance.

8.00 In view of para no. 7 above, it is requested that the Government of Maharashtra may kindly accord general approval for diversion of forest land 0.04606 in favour of M/s Telesonic Network limited for laying of underground Optical Fiber Cable of Telesonic Network Limited project along with NH-6 (Wadi-Karanja-Tivsa) Km. Ch.9/200 to 50/000) in district Nagpur in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 1 Copy


5/10/1/22

(Naresh Zurmure)

**Addl. Principal Chief Conservator of Forests
& Nodal Officer**

Copy to the Chief Conservator of Forests (Territorial) Nagpur for information.

Copy to the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur for information.

Copy to the M/s. Telesonic Network Limited, 4th floor Nikalas Tower, Ramdaspath, Nagpur for information

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:- Proposal for diversion of 0.04606 ha. forest land for laying underground Optical Fiber Cable of Telesonic Network Limited project along with NH-6 (Wadi-Karanja-Tivsa) Km. Ch.9/200 to 50/000) in district Nagpur in the State of Maharashtra (FP/MH/OFC/139578/2021). The details of land proposed for diversion is as under-

Sr. No.	Item	Name of the Village	Sur. No.	Length x width (in Mtr)	Area (in Ha)	Remarks
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6			120	148.000 x 0.5	0.00740	Protected Forest
Total Forest Area (in ha.)					0.04606	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached.


10/11/22

(Naresh Zurmure)
**Additional Principal Chief Conservator of Forests
& Nodal Officer**

Date: /1/2022
Place: Nagpur

Proposal for diversion of 0.04606 ha. forest land for laying underground Optical Fiber Cable of Telesonic Network Limited project along with NH-6 (Wadi-Karanja-Tivsa) Km. Ch.9/200 to 50/000) in district Nagpur in the State of Maharashtra (FP/MH/OFC/139578/2021).

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

- 1) The proposal is for diversion of 0.04606 ha. forest land for laying underground Optical Fiber Cable of Telesonic Network Limited project along with NH-6 (Wadi-Karanja-Tivsa) Km. Ch.9/200 to 50/000) in district Nagpur in the State of Maharashtra (FP/MH/OFC/139578/2021).
- 2) The details of the forest land proposed for diversion are as under:-

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3.0 The project has been initiated by M/s. Telesonic Network Limited, 4th floor Nikalas Tower, Ramdaspath, Nagpur for seeking approval under Forest (Conservation) Act, 1980 for laying underground Optical Fiber Cable of Telesonic Network Limited project along with NH-6 (Wadi-Karanja-Tivsa) Km. Ch.9/200 to 50/000) in district Nagpur in the State of Maharashtra is passing through Survey No.90,405.404,102 & 120 of Village Waddhamana, Gondkhairi and Ringnabodi in Nagpur Forest Division. The aforesaid project is pursuant to the directives issued by the Government of India, Ministry of Communication & IT Department of Telecommunication vide their letter No. 222/2008,dt.19/09/2008. The User Agency has highlighted that as per the policy of the Government of India, it is planned to lay Optical Fiber Cable for reliable communication from

remote place to District/State Headquarters. Basic aim of the project is to provide the people of under developed areas with reliable and high speed media connectivity. In this regard, the User Agency has submitted the proposal for diversion 0.04606 ha forest land under the Forest (Conservation) Act, 1980. The site inspection report of the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur is enclosed file on page no 39 to 40.

4.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that:-

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- 4.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 4.6 there is no violation of Forest (Conservation) Act 1980.
- 4.7 the proposed area for the project is beyond 10 kms from the boundary of the protected area (Sanctuary and National Park).
- 4.8 the 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 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 appointed under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.
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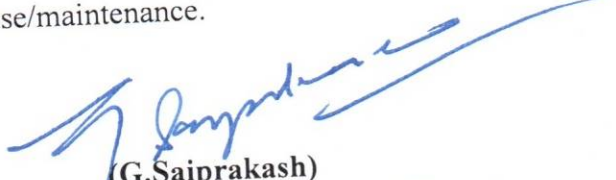
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- 6.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur and Conservator of Forest (T), Nagpur have recommended the proposal for diversion of **0.04606** ha. of forest land.
- 7.00 **In view of this, the proposal is recommended for approval under the section -2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions: –**
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- xv) All the conditions stipulated by the Forest Department shall be binding on the User Agency.
- xvi) All other conditions as may be mandatory under relevant Act, Rules and Guidelines shall be complied with by the User Agency.
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(G.Saiprakash)
Principal Chief Conservator of Forests
(Head of Forest Force)
Maharashtra State, Nagpur