

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 0.16 ha. forest land in favour of M/s Reliance JIO, Infocomm Ltd. for laying of underground Optical Fiber Cable, passing within the existing ROW of the Yavatmal-Kita-Kapra-Sawar PWD Road, road in Comptt. No.468, 469, 467, 475 in Yavatmal Forest Division, Yavatmal. The details of land proposed for diversion is as under-

Sr. No.	Item	Name of the Village	District	Forest Land Required					
				Survey No.	Comptt. No.	Length Width	Sq. Mt.	Area (in Ha)	Legal Status
1	Laying Optical Fiber Cable Line	Kapra	Yavatmal	62	468,469, 467,475	4169 x 0.40	1667.60	0.16	Reserve Forest
Grand Total								0.16	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 2B


(G Sai Prakash)

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

Date: 16/04/2018

Place: Nagpur

Diversion of 0.16 ha. forest land in favour of M/s Reliance JIO, Infocomm Ltd. for laying of underground Optical Fiber Cable, passing within the existing ROW of the Yavatmal-Kita-Kapra-Sawar PWD Road, road in Comptt. No.468, 469, 467, 475 in Yavatmal Forest Division, Yavatmal.

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 0.16 ha. Reserved Forest land under Section-2 (ii) of the Forest (Conservation) Act, 1980 in favour of Reliance JIO, Infocomm Ltd., for laying of underground Optical Fiber Cable passing within the existing ROW in the Yavatmal-Kita-Kapra-Sawar Road, PWD road in Comptt. No.468, 469, 467, 475 of Yavatmal Forest Division, Yavatmal. The location of the project is shown as under-

Sr. No.	Item	Name of the Village	District	Forest Land Required					
				Survey No.	Comptt. No.	Length Width	Sq. Mt.	Area (in Ha)	Legal Status
1	Laying Optical Fiber Cable Line	Kapra	Yavatmal	62	468,469, 467,475	4169 x 0.40	1667.60	0.16	Reserve Forest
Grand Total								0.16	

The project has been initiated by M/s. Reliance JIO, Infocomm Ltd. for laying underground underground Optical Fiber Cable line from route section Km.0/00 to Km 15/00 passing within the existing ROW of the Yavatmal-Kita-Kapra-Sawar Road, PWD road in Comptt. No.468, 469, 467, 475 in Yavatmal Forest Division, Yavatmal. The total route length of the project is 4.17 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. The total non- forest land required for this project 0.24 ha.

The forest land comprising of 0.03 ha in the proposal in Compartment no. 468 in village Kapra belongs to FDCM Ltd. The N.O.C for the same has been given by the FDCM Ltd vide letter No.2076, dt.19/2/2018.

- 2) The area belongs to Eco-value class -III and having density of forests 0.4 to 0.6.
- 3) The Deputy Conservator of Forest, Yavatmal Division, Yavatmal has certified all other alternate for the purpose have been explored and demand for the forest land for the proposed area is the barest minimum.
- 4) The Deputy Conservator of Forest, Yavatmal Division, Yavatmal has certified that all other alternatives have been examined in detail and found that no other alternatives in the Right of way of Yavatmal-Kita-Kapra-Sawar Road, PWD road for laying of Optical Fiber Cable is suitable from forestry point of view.
- 5) There is no violation of Forest (Conservation) Act, 1980 as certified by the Deputy Conservator of Forest, Yavatmal Forest Division, Yavatmal.

- 6) The Deputy Conservator of Forest Yavatmal Forest Division, Yavatmal has certified that the project proposed in the area does not affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 7) The Deputy Conservator of Forest Yavatmal, Forest Division, Yavatmal has certified that the area involved does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 8) The Deputy Conservator of Forest, Yavatmal Forest Division, Yavatmal has certified that the proposed project is beyond 10 km of the boundary of the Protected Area.
- 9) The user agency has submitted an undertaking to defray the cost of Compensatory Afforestation of the forest land proposed for diversion.
- 10) The User Agency has submitted an undertaking to defray the cost of Net Present Value of the proposed forest land diversion.
- 11) The Deputy Conservator of Forests, Yavatmal Forest Division, Yavatmal has given suitability certificate for 1.00 ha. degraded forest land in Comptt no. 513 of Jamb beat, Jamb Round in Yavatmal Range, in Yavatmal Forest Division, Yavatmal and it is contiguous to forest area, suitable for afforestation and free from encroachment and encumbrances.
- 12) There are 144 trees of various species and girth in the area proposed for diversion. Girth class wise abstract is given as under:-

Tree Girth in Cm.					
15/45	46/75	76/105	106/135	136 & Above	Total
69	65	8	2	0	144

- 13) The user agency has given an undertaking for laying of Optical Fiber Cable line of underground work and alongwith road side section Km.0/00 to Km 15/00 in forest area within the existing ROW of the Yavatmal-Kita-Kapra-Sawar Road, PWD road in Comptt. No.468, 469, 467, 475 in Yavatmal Forest Division, Yavatmal 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.
- 14) The user agency has given an undertaking for laying of Optical Fiber Cable line of underground work and alongwith road side section Km.0/00 to Km 15/00 in forest area within the existing ROW of the Yavatmal-Kita-Kapra-Sawar Road, PWD road in Comptt. No.468, 469, 467, 475 in Yavatmal Forest Division, Yavatmal 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.
- 15) The Deputy Conservator of Forests, Yavatmal Forest Division, Yavatmal has certified that non forest area covered under the project is not private forest 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 the dictionary meaning of Forest as intimated to the Expert Committee appointed under interim judgment of Hon'ble Supreme Court, dated 12/12/1996.

- 16) As per the requirement of the User Agency the proposed forest area for laying of underground Optical Fiber Cable is passing within the existing ROW in the Yavatmal-Kita-Kapra-Sawar Road, PWD road in Survey No.62 of village Kapara, Dist. Yavatmal. However, as per the map enclosed in the proposal of village Kapara, Distt. Yavatmal, the Optical Fiber Cable line is shown passing through Survey No.64. In this context, in the forwarding letter submitted by Chief Conservator of Forests, (T) Yavatmal vide letter dated 28/3/2018, it is mentioned that necessary correction in this regard is expected from the Office of the Deputy Commissioner, (Land Record), Amravati (Copy enclosed) and the User Agency has submitted an undertaking for submission of corrected maps on receipt of the same.
- 17) The Site Inspection Report by the Deputy Conservator of Forest, Yavatmal Forest Division, Yavatmal indicating his observation is enclosed on page no.30.
- 18) The Deputy Conservator of Forests, Yavatmal Forest Division, Yavatmal and the Chief Conservator of Forests (T), Yavatmal, Circle have recommended the proposal for diversion of 0.16 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 User Agency has agreed to defray the cost of Compensatory Afforestation over 1.00 ha degraded forest land in Comptt no. 513 of Jamb beat, Jamb Round in Yavatmal Range, in Yavatmal Forest Division, Yavatmal.
- iii) The User Agency will defray the cost of Net Present Value of 0.16 ha. of forest land as per the latest guidelines of the Government of India.
- iv) The User Agency will defray the additional cost of Net Present Value of forest land as per the latest guidelines of Government of India.
- v) The Optical Fiber Cable Line will be laid within maximum size of the trench of 1.00 m depth & 0.40 m width with cable line under the PVC Pipeline.
- vi) 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.
- vii) 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.
- viii) For further maintenance of the project, the agency shall obtain permission from the concerned Deputy Conservator of Forests as and when required.
- ix) The forest land shall not be used for any purpose other than specified in the proposal.

- x) The User Agency will defray the cost of removal of 144 trees in the proposed area. However, minimum number of trees will be felled. The same shall be handled by FDCM.
- xi) 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) 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 the Yavatmal-Kita-Kapra-Sawar Road, PWD road.
- xiii) The User Agency shall submit the corrected map of village Kapra showing the Optical Fiber Cable line passing through Survey No.62 before Stage I approval.
- xiv) The User Agency will make good the land after use/maintenance.
- xv) All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.



**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

Sub:- Proposal for diversion of 0.16 ha. forest land in favour of M/s Reliance JIO, Infocomm Ltd. for laying of underground Optical Fiber Cable, passing within the existing ROW of the Yavatmal-Kita-Kapra-Sawar PWD Road, road in Comptt. No.468, 469, 467, 475 in Yavatmal Forest Division, Yavatmal.

No. : Desk-17/NC/I/I.D- / 149 /17-18
Nagpur – 440 001, Dated : 16/11/2018

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

The M/s. Reliance JIO, Infocomm Ltd., has submitted proposal for diversion of 0.16 ha. forest land in favour of M/s Reliance JIO, Infocomm Ltd. for laying of underground Optical Fiber Cable, passing within the existing ROW of the Yavatmal-Kita-Kapra-Sawar PWD Road, road in Comptt. No.468, 469, 467, 475 in Yavatmal Forest Division, Yavatmal. The details of forest land proposed for diversion is as given below: -

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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.

- 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 area belongs to Eco-value class -III and having density of forests 0.4 to 0.6.
- 6) The Deputy Conservator of Forest, Yavatmal Division, Yavatmal has certified all other alternate for the purpose have been explored and demand for the forest land for the proposed area is the barest minimum.
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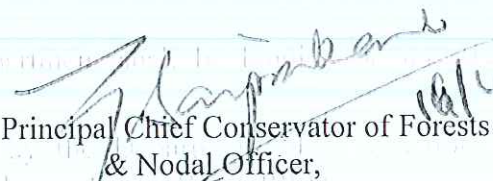
In view of this, the proposal is recommended for approval under section 2 (ii) of Forest (Conservation) Act, 1980 subject to the following conditions.

- i) The legal status of the land shall remain unchanged.
- ii) The User Agency has agreed to defray the cost of Compensatory Afforestation over 1.00 ha degraded forest land in Comptt no. 513 of Jamb beat, Jamb Round in Yavatmal Range, in Yavatmal Forest Division, Yavatmal.
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- xii) This sanction is subject to the final clearance by the Department of Information & Technology for the Project and the Yavatmal-Kita-Kapra-Sawar Road, PWD road.
- xiii) The User Agency shall submit the corrected map of village Kapra showing the Optical Fiber Cable line passing through Survey No.62 before Stage I approval.
- xiv) The User Agency will make good the land after use/maintenance.
- xv) All other conditions as may be mandatory under relevant Acts, Rules and guidelines shall be complied with by the user agency.

It is therefore, requested that Government of India may kindly be moved for approving the proposal for diversion of 0.16 ha. forest land in favour of M/s Reliance JIO, Infocomm Ltd. for laying of underground Optical Fiber Cable, passing within the existing ROW of the Yavatmal-Kita-Kapra-Sawar PWD Road, road in Comptt. No.468, 469, 467, 475 in Yavatmal Forest Division, Yavatmal, under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 3 copies


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

Copy to the Chief Conservator of Forests (Territorial) Yavatmal for information.
Copy to Deputy Conservator of Forests, Yavatmal Forest Division, Yavatmal for information.
Copy to The M/s Reliance JIO, Infocomm Ltd. for information.