

## TAMIL NADU FOREST DEPARTMENT

From  
Subrat Mohabatra IFS.,  
Principal Chief Conservator of Forests,  
(Head of Forest Force),  
Forest Headquarters Building,  
Guindy - Velachery Main road,  
Near Kannikapuram Checkpost,  
Guindy, Chennai - 600 032

To  
The Additional Chief Secretary to  
Government,  
Environment Climate Change and  
Forests Department,  
Secretariat,  
Chennai 600 009.

**Ref. No. TS4/4382/2017 dated. 08.06.2023**

Madam,

Sub: Forest – Forest (Conservation) Act, 1980 – SMTR Madurai circle – Srivilliputhur Wildlife Division & Megamalai Wildlife Division – Proposal for diversion of 0.19 ha of forest land for laying of underground OFC along Theni Mallapuram route in Saptur Reserved Forest – online proposal submission by the User Agency ie., Reliance Jio Infocomm Ltd., Chennai – Regarding.

- Ref:
1. Online application uploaded by the User Agency Reliance Jio Infocomm Ltd., Chennai. (FP/TN/Others/23908/2017) on 02.02.2017.
  2. Principal Chief Conservator of Forests, Chennai-15 Ref.No:TS4/4382/2017 dated:27.07.2020.
  3. Part-II recommendation and field inspection report by the Deputy Director, SMTR, Srivilliputhur Division, Srivilliputhur Ref. No: D/2376/2018 dated 22.09.2022 & 21.04.2023
  4. Deputy Director, Megamalai Division, SMTR, Theni Ref. No: D1/10060/2022 dated 14.02.2023 & 24.03.2023
  5. Part-III recommendation and field inspection report by the Conservator of Forests & Field Director, SMTR, Madurai Lr.No:6099/2021/D1dated. 03.05.2023.

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I wish to state that the user agency Reliance Jio Infocomm Ltd., Chennai has uploaded an online proposal for diversion of 0.19 ha of forest land for laying of underground OFC along Theni - Mallapuram route in Saptur Reserved Forest in Srivilliputhur Wildlife Division, Madurai district under section 2 of Forest (Conservation) Act, 1980 in the prescribed format.

2) The User Agency has furnished following Certificates /Undertakings.

i) Form-A, Part-1 for seeking prior approval under Section 2 of the Forest (Conservation) Act, 1980.

ii) short narrative of the proposal for which the forest land is required. (As required vide A-1 (iii) of proposal format).

iii) Certificate of competence authority for making online application.

Power of Attorney to Thiru.T.T.Balsamy on behalf of company to do all works such as signing of agreements, documents or any other works.

iv) kml file along with GPS readings.

v) Copy of Survey of India topo sheet indicating boundary of forest land proposed to be diverted has been up-loaded forest boundary (Section C of Maps-C.iii)

vi) Geo referenced location map of the proposed diversion of forest area for formation of road marked in the google earth (Section C of Maps -C.iv)

vii) Note containing justification for locating the project in forest area (As required vide D.(i) of proposal format) enclosed.

In the justification, the user agency has stated that the area requested for this proposal is minimum considering the requirements and also considering the safety of the cables so laid. Since the telecommunication cables also carry the communication from the Government offices, Defense & Strategic establishments and from the different industrial organizations apart from the general public, for the safety and confidentiality of the conversation so made it is not advisable to lay such important cables on the private land belonging to different parties.

viii) Certificate obtained from the District Collector, Madurai District about settlement of Tribes under Forest Rights Act 2006 in the prescribed format.(Form-i for linear projects) in Ref.No:6288/2018/Y1 dated 06.12.2019.

ix) Certificate obtained from the District Collector, Madurai District regarding no suitable alternate non forest land other than forest land available for the project in Ref.No:6288/2018/Y1 dated 04.12.2019.

x) Area requirement details for the project Area-0.19ha

(6.23km x30cm = 1869sqm or 0.19ha)

3) The following certificates/undertakings were enclosed by the user agency.  
Combined undertaking for the following.

i) to bear the cost of Compensatory Afforestation, Penal Compensatory Afforestation/Maintenance of plantation/Protection of plantation for the proposed area of diversion.

- ii) for the payment of cost towards lease rent as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted.
- iii) To pay the value of cost of trees if any required to cut during expansion & maintenance works.
- iv) to pay the NPV amount as fixed by the Hon'ble Supreme Court of India required for the project.
- v) to pay the Additional NPV amount as fixed by the guidelines of Hon'ble Supreme Court of India required for the project.
- vi) Agree if any conditions and amount has been fixed by the Forest Department.
- vii) Certificate regarding there is no catchment area treatment plan in the approved plan.
- viii) Certificate regarding no violation of Forest (Conservation) Act, 1980.
- ix) Certificate regarding the requirement of forest land is barest minimum.
- x) to bear the cost of Compensatory Afforestation, Penal Compensatory Afforestation/Maintenance of plantation/Protection of plantation for the proposed area of diversion.
- xi) Undertaking to pay any cost of escalation for exploitation of trees if any available in the alignment path for the proposed diversion.
- xii) Undertaking to bear the cost of felling of trees and transportation cost of the trees to be removed if any available in the alignment path for the proposed diversion.
- xiii) Certificate from the user agency regarding there is no suitable and technically approved alternate non forest land available for the project.

4) In part-II, the Deputy Director, SMTR, Srivilliputhur Division, Srivilliputhur has provided the density of vegetation as 0.4 and type of forest is Eco-class-3.

5) In sec.8(i), the details of wildlife present are Grizzled Giant Squirrel Common Langur Leopard Slender Loris Indian Gaur Sambar Chital Jungle Cat Small Indian Civet Common Palm Civet Brown Palm Civet Common Mongoose Sloth Bear Ruddy mongoose Wild pig Indian Pangolin Star tortoise Indian Porcupine Monitor Lizard Changeable hawk eagle Serpent eagle Eagle owl Jungle owlet Peafowl Grey jungle fowl Spectacled cobra Rat snake Indian krait

6) In section 8(ii), Whether forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant corridor, Wildlife migration corridor etc. the District Forest Officer has mentioned as "Yes" and for Details and comments on the impact of Project on such areas it is stated that since the project proposed is all along the existing road, the impact is minimal

7) In sec 8(iii), the forest land proposed for diversion is not located within Eco Sensitive Zone (ESZ) of the Protected Area notified under Wildlife (Protection) Act, 1972. However, in EDS reply dt. 21.04.2023, the Deputy Director, SMTR Srivilliputhur has stated that out of total length of 6.23 Kms required for the project, 4.30 Kms passes through Sanctuary area, 1.83 Kms passes through non-sanctuary area and 0.100 Km passes through Eco Sensitive Zone of SMTR.

8) In section 8(iv), Whether any national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc., is located within 1 Km. from boundary of the forest land proposed for diversion is 'Yes' and details and comments on the impact of Project on such areas, he has mentioned as since the project proposed is all along the existing road, the impact is minimal

9) In section 8(v), Whether any rare/endangered/unique species of flora and fauna found in the area the DD has uploaded as 'Yes' and the details of the species were not uploaded in this section. The endangered species of fauna furnished in the site inspection report of the Deputy Director.

10) In section 9, No protected archaeological/heritage site/defence establishment or any other important monument is located in the area.

11) In section 10, The requirement of forest land as proposed by the user agency is unavoidable and bare minimum for the project.

12) In section 11, No work in violation of the Act or guidelines issued under the Act has been carried out.

13) In section 13, CA scheme to be carried out in Saptur RF over an area 0.38ha to an amount of 8.87 lacs.

14) The SI sheet Map for showing the boundary of proposed area for CA and geo referenced map of the forest land proposed for CA have been uploaded.

Suitability of land for CA has been uploaded by the Deputy Director, SMTR, Srivilliputhur.

15)The Deputy Director, SMTR, Srivilliputhur has inspected the proposed area along with the concerned Saptur Range staff on 09.02. 2022 and stated that

- i). The area requested by the user agency is 6.23km.
- ii). The ecological importance of the proposed area is
  - a) Part of SMTR
  - b) Part of Agasthiyar Biosphere landscape.
  - c) Part of Elephant reserve No:7
  - d) Ertswile Grizzled Squirrel WLS.
- iii). The entire project falls inside the Mallapuram beat of Saptur RF all along Mallapuram- Myladumparai road for which right is admitted as per GO.(Ms)No. 14 dated 08.02.2021.The road passes through the buffer area of Tiger which involves both sanctuary and non sanctuary area. The OFC passes through 4.30 KM in Sanctuary area and 0.70 KM non-sanctuary area The site has several endangered wildlife species also.
- iv). However damage caused to flora and fauna is very minimal as the project is proposed along the road from Muthalamparai village to Mallapuram village through Saptur RF.
- v).This will enable transportation of equipment to lay OFC through the road and also facilitate easy operation and maintenance in future.
- vi). The project site doesn't have any important monuments which has archeological importance / heritage site / defence establishment etc.

He has also stated that, the total length of the road from Mallapuram to Myladumparai is 6.23km. Out of total area 5.00 KM (4.30 KM passes through Sanctuary area and 0.70 KM non-sanctuary area) is under the control of DD, SMTR, Srivilliputhur and the balance (6.23 - 5.00) 1.23 KM is under the control of Megamalai Division.

16) In the recommendation, the DD has stated that the site proposed for laying OFC is home for several endangered species. However damage caused to flora and fauna is very minimal as the project is proposed along the road from Muthalamparai village to Mallapuram village through Saptur RF. This will enable transportation of equipment to lay OFC through the road and also facilitate easy operation and maintenance in future. The project site doesn't have any important monuments which has archeological importance / heritage site / defence establishment etc.

17) Further in Principal Chief Conservator of Forests & CWLW, Chennai-32 ref.no:WL5/20666/2022 dated 16.12.2022, this proposal was recommended by the SBWL with some conditions.

18) The DD, Megamalai Division, SMTR, Theni has stated in his ref.no: D1/10060/2022 dated 14.02.2023 that, the above said area was inspected and surveyed along with Forest Settlement Officer, Bodi, Forest Range Officers of Gandamanur and Varushanadu Range along with their field staff and surveyor on 24.12.2022. During the inspection, the boundary stones of SF No. 1313/1, 1444/1, 2, 1445/1, 2 of Kadamalaikundu Village were identified on ground and it was ascertained that the road passes through these survey numbers and the same was reported by the Forest Settlement Officer, Bodi in his letter No. 3602022 dated 30.01.2023. As per his report, the alignment identified by the user agency falls in S.F.No.1313, 1444/1, 2, 1445/1, 2 of Kadamalaikundu village and then enters the R.F. of Madurai District, and as per the village records the S.F.No.1313 is Un-Assessed Wasteland, S.F.No.1445/1 is Anathinam and S.F.No.1444/1, 2, 1445/2 are joint patta (Patta No. 4289) and hence it is submitted that the site required for the proposed OFC cable works not pertaining to this Megamalai Division.

19) In Part-III, the CCF & FD, SMTR, Madurai has stated that the project area was inspected on 07.04.2023, and agreed the remarks of Deputy Director, SMTR Srivilliputhur Division and Megamalai Division. In the specific recommendation, she has stated that as the above proposal is for laying of Optical Fibre Cable along the existing Theni Mallapuram Road, no tree felling involved and laid underground this project is recommended for diversion of 0.19 ha in Saptur RF of Srivilliputhur Division.

20) The user agency has uploaded the online proposal for Wildlife Clearance for seeking recommendation of Standing Committee of State Board for Wildlife and

clearance obtained from State Board for Wildlife and communicated in PCCF & CWLW, Chennai Ref.No:WL5/20666/2022 dated 16.12.2022 with some terms and conditions.(copy enclosed)

21) In this regard, it is submitted that the User Agency has uploaded all the certificates /undertakings/details as required in this proposal. This proposal has been accepted by the Nodal Officer before the receipt of FC Rules 2022.

22) The proposal is sent herewith duly recommended in the part IV format proposal by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer (Forest Conservation Act).

23) The area proposed for diversion of 0.19ha of forest land for laying of underground OFC along forest land for laying of underground OFC along Theni Mallapuram route in Saptur Reserved Forest in Srivilliputhur Wildlife Division is recommended and forwarded to the Government of Tamilnadu for obtaining approval from Government of India subject to the following conditions.

1. The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
2. The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at appropriate places as per the directions of District Forest Officer concerned at the cost of User Agency.
3. The User Agency shall remit Compensatory Afforestation amount as demanded by the Forest Department.
4. The User Agency shall pay the Net present value of the diverted forest area at the rates stipulated by the Ministry of Environment and Forests from time to time, as per the orders of the Hon'ble Supreme Court Order dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IAS in Writ Petition (Civil) No.202/1995.
5. The fund from the User Agency towards Compensatory Afforestation and NPV under this project shall be deposited by generating chalan from the Ministry's online web portal. UTR No and date should be furnished.
6. The 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 the User Agency. The User Agency shall furnish an undertaking to the effect.

7. The User Agency shall be responsible for any loss to Flora and Fauna in the surroundings and shall take all possible measures to conserve the same.
8. The forest land shall not be used for any other purpose other than that specified in the proposal.
9. The lease rent should be realized from the User Agency as per G.O.Ms.No.272, E&F(FR.XIII) Dept. dated 15.04.1991.
10. The period of lease is 20 years
11. The User Agency should send renewal proposal one year before expiry of lease.
12. The Chief Conservator of Forests & Field Director and District Forest Officer / Deputy Directors may impose any other condition in the interest of conservation / protection land development of forests.

24) I am enclosing the proposal in duplicate duly recommended for obtaining concurrence of Government of India, Ministry of Environment, Forests and Climate change, Integrated Regional Office, Nungambakkam, Chennai under Forest (Conservation) Act, 1980 for diversion 0.19ha of forest land for laying of underground OFC along Theni - Mallappuram route in Saptur Reserved Forest for 20 years in favour of Reliance Jio Infocomm Pvt.Ltd., Chennai

Encl.: Proposal in duplicate.

Yours faithfully

for Principal Chief Conservator of Forests  
(Head of Forest Force)  
P. Anandam  
09/06/2023  
09/06/23

## PART IV

(To be filed in by the Nodal Officer or Principal Chief Conservator of Forests or Head of Forest Department)

**Name of the work:** Forests - Forest (Conservation) Act, 1980 –SMTR, Madurai Circle – SMTR, Srivilliputhur Division - Proposal for diversion of 0.19ha of forest land in Saptur Reserved Forest for laying of underground OFC along Theni-Mallapuram route – Online proposal submission by the User Agency ie. Jio Digital Fibre private Ltd., Chennai.

**Proposal No:** (FP/TN/OFC/23908/2017)

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

(While giving opinion, the adverse comments made by concerned Conservator of Forests or Deputy Conservator of Forests should be categorically reviewed and critically commented upon).

Date:

Place:

Signature:

Name :

Official Seal:

Additional Principal Chief Conservator of Forests  
(Forest Conservation Act)/Nodal Officer

Recommended  
K. N. S. S. S.  
11/5/20

1/3





6/7/23, 11:14 AM

Mallapuram.jpg

Ref. No. WL5/20666/2022

O/o. the Principal Chief Conservator of Forests,  
Forest Head Quarters Building,  
Guindy-Velachery Main Road, Near Kanikapuram  
Check Post, Chennai - 32.

Dated: 16-12-2022

Sub: Forests - Wildlife - Laying of Optical Fibre Cable - M/s. Reliance Jio Infocomm Ltd., - Diversion of 0.19 Ha of Forest land - Carrying out laying of optical fibre cable along the Theni-Mallapuram route involves forest area of Theni, Myladumparai and Mallapuram - Seeking Clearance from the State Board for Wildlife - Regarding.

Ref: 1) Government of India, Ministry of Environment Forests and Climate Change, New Delhi letter F. No. 6-175/2017 WL dated 19-02-2018.

2) Field Director, Srivilliputhur Megamalai Tiger Reserve, Madurai Ref. No. 6099/2022/D1 dated 24-06-2022.

3) Government letter No. 7677/FR.5/2022-11 dated 08-12-2022.

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With references to the above, in the minutes of the 7<sup>th</sup> State Board for Wildlife, the above referred proposal has been recommended subject to conditions imposed by the Principal Chief Conservator of Forests and Chief Wildlife Warden. Based on the above the Conservator of Forests and Field Director, Srivilliputhur Megamalai Tiger Reserve, Madurai is requested to issue No Objection Certificate for laying of Optical Fibre Cable along the Theni-Mallapuram route involves forest area of Theni, Myladumparai and Mallapuram, to a length of 6.23 Km in Saptur RF by M/s. Reliance Jio Infocomm, Limited, Chennai. **Further the work should commence only after getting clearance from Forest (Conservation) Act, 1980 and other mandatory clearances.**

**Terms and Conditions:-**

- 1) The project proponent shall obtain all other statutory clearance, impact mitigation and wildlife conservation plan of Srivilliputhur Megamalai Tiger Reserve (Grizzled Squirrel Wildlife Sanctuary, Srivilliputhur), Google map with GPS coordinates along with Land use pattern map.
- 2) All the material required for the work should be prepared outside the Tiger Reserve.
- 3) No fire places will be created inside the Tiger Reserve.
- 4) The work in the Sanctuary will be allowed only in the day time from 9 AM to 5 PM.
- 5) No night camping by labour/survey personnel will be allowed inside the Tiger Reserve.

6) Project personnel engaged in the project work shall observe the provisions of Wildlife (Protection) Act, 1972 and rules made there under.

7) The legal status of the land remain unchanged.

8) While undertaking the periodical maintenance works if any by the project proponent shall obtain prior approval of the Principal Chief Conservator of Forests and Chief Wildlife Warden well in advance.

9) The project proponent shall submit an undertaking stating that no disturbance will be caused to the wildlife during project implementation.

10) The project proponent (Reliance Jio Infocomm) also should offer facility of free data connection (unlimited 4G and upgraded version then there) to the Principal Chief Conservator of Forests and Chief Wildlife Warden office / Conservator of Forests and Field Director, Srivilliputhur Megamalai Tiger Reserve, Madurai, and Deputy Director, Srivilliputhur office for facilitating the cause of conservation protection.

11) Any other condition stipulated by the Conservator of Forests and Field Director / Deputy Director shall be followed.

Sd/- Srinivas R. Reddy  
Principal Chief Conservator of Forests  
and Chief Wildlife Warden (FAC)

To  
The Conservator of Forests and Field Director,  
Srivilliputhur Megamalai Tiger Reserve,  
Madurai.

Copy to the Deputy Director, Srivilliputhur Megamalai Tiger Reserve, Srivilliputhur for information and necessary action.

Copy to M/s. Reliance Jio Infocomm Limited, No. 89, Dr. Radhakrishnan Salai, Mylapore, Chennai - 600 004 for information.

Copy to the Head Draughting Officer, O/o. Principal Chief Conservator of Forests (Head of Forest Force) for information.

/True Copy / by Order/

Superintendent

16/12/22