

**Proposal for diversion of 0.423 ha. Reserved Forest land for laying of Underground Optical Fiber Cable Line duct and Cable within RoW of existing road MDR 39 in village Lakhmapur, Borbet, Garivade, Tal. Gaganbavada, Dist. Kolhapur in the State of Maharashtra.**

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

1.0 Proposal for diversion of 0.423 ha. Reserved Forest land for laying of Underground Optical Fiber Cable Line duct and Cable within RoW of existing road MDR 39 in village Lakhmapur, Borbet, Garivade, Tal. Gaganbavada, Dist. Kolhapur in the State of Maharashtra.

2.0 The details of the forest land proposed for diversion are as under:-

Sr. No.	Name of Existing Road	Total length of Road	Name of Village and Taluka	F.G. No.	Required Area length and with in Mtr. (in Forest)	Total Area (in ha)	Legal Status
1	Gaganbavada to Garivade Tal. Gaganbavada (MDR 39) Km. 12/00 to 18/300	12.4 km	Garivade/ Gaganbavada	195, 196	970 Mt. x 1	0.097	Reserved Forest
			Borbet/Gaganbavada	63,176	1550 Mt. x 1	0.1550	
			Lakhmapur/ Gabanbavada	52,47,48	1710 Mt. x 1	0.171	
<b>Total Forest Land (in ha.)</b>						<b>0.423</b>	

3.00 The proposal has been initiated by the Vice President, JIO, Pune for seeking approval under Forest (Conservation) Act, 1980. Total non forest involved in the project is 0.817 ha. The said Optical Fiber Cable Line will be laid by digging trench of size 0.45 mt. wide and depth below 1.40 mt. and in one trench two duct pipes will be laid and out of which one duct pipe is use for Optical Fiber Cable Line. The site inspection report of the Deputy Conservator of Forests, Kolhapur Forest Division, Kolhapur is enclosed on page no. 42 to 46.

**4.00 The Deputy Conservator of Forests, Kolhapur Forest Division, Kolhapur has certified**

**that:-**

- 4.1 No suitable alternate land is available and the forest land required is barest minimum.(P/53)
- 4.2 The area belongs to Eco-value class-III (Open Forest) (P/43)
- 4.3 There is no cutting and felling of trees involved in this project(P/68)
- 4.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.(P/62)

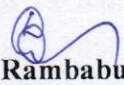
The proposed project area is 3.5 Km away from boundary of Radhanagri Wildlife Sanctuary & area is outside boundary of Sanctuary. The proposed work will be within proposed ESZ of Sanctuary.



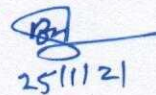
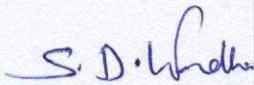
The project will not have any adverse effect on the wildlife within Radhanagri WL Sanctuary. (P/63)

- 4.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.(P/61)
- 4.6 There is no violation of Forest (Conservation) Act 1980. (P/56)
- 4.7 The proposed area for the project is 3.5 km away from the boundary of Radhanagri Wildlife Sanctuary. (P/69)
- 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.(P/60)
- 5.00 **The User Agency has submitted an undertaking that:-**
- 5.1 To defray the cost of compensatory afforestation.(P/54)
- 5.2 To defray the cost of Net Present Value of the forest land proposed under diversion.(P/64)
- 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. (P/84)
- 6.0 The Deputy Conservator of Forests, Kolhapur Forest Division, Kolhapur and Chief Conservator of Forest (T), Kolhapur have recommended the proposal for diversion of 0.423 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 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.
- xiv) All the conditions stipulated by the Forest Department shall be binding on the User Agency.
- xv) All other conditions as may be mandatory under relevant Act, Rules and Guidelines shall be complied with by the User Agency.
- xvi) 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.
- xvii) The User Agency will make good the land after use/maintenance.

  
**(DR. N Rambabu)**  
**Principal Chief Conservator of Forests**  
**(Head of Forest Force)**  
**Maharashtra State, Nagpur**


 25/01/2021
  25/11/21
  S. D. ...

PART -IV

**Nodal Officer or Principal Chief Conservator of Forests (Head of Forest Force)**

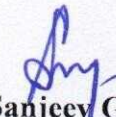
(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

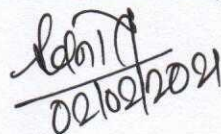
Sub.:- Proposal is for diversion of 0.423 ha. Reserved Forest land for laying of Underground Optical Fiber Cable Line duct and Cable within RoW of existing road MDR 39 in village Lakhamapur, Borbet, Garivade, Tal. Gaganbavada, Dist. Kolhapur in the State of Maharashtra.


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

Date : 04 /02/2021  
Place : Nagpur

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

  
 02/02/2021

  
 2/2/21



Certified by  
ISO 9001:2015

**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**

**E-mail- [apccfnodal@mahaforest.gov.in](mailto:apccfnodal@mahaforest.gov.in) Website: [www.mahaforest.gov.in](http://www.mahaforest.gov.in)**

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No. : Desk-17/2/NC/II/ID-12850/ 1162 /20-21  
Nagpur - 440 001, Dated: 04/02/2021

To ,

**The Principal Secretary (Forests),  
Revenue & Forest Department  
Mantralaya Mumbai -32**

**Ref.:-** The Chief Conservator of Forests (T), Kolhapur letter no. D-6/Nosel/Satara/Jio/OFC/20-21/694, dated 7/10/2020 P/13

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8. It is therefore requested that the Government of Maharashtra may kindly be moved to approve for diversion of 0.423 ha. Reserved Forest land for laying of Underground Optical Fiber Cable Line duct and Cable within RoW of existing road MDR 39 in village Lakhamapur, Borbet, Garivade, Tal. Gaganbavada, Dist. Kolhapur in the State of Maharashtra under section (ii) of the Forest (Conservation) Act 1980.

Encls : As above

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

Copy to Deputy Conservator of Forests Kolhapur

Copy to the Vice President, Jio Information Ltd., (JIO), Erandavne, Pune for information

*[Handwritten signature]*  
*[Handwritten signature]* 02/02/2024  
*[Handwritten signature]* 2/2/21  
*[Handwritten signature]* 2/2/2024