



सत्यमेव जयते  
महाराष्ट्र शासन

**Office of The Principal Chief Conservator of Forest, (HoFF) Maharashtra State,  
Ramgiri Road, Civil Lines, Nagpur 440 001.  
The Additional Principal Chief Conservator of Forests And Nodal Officer, Maharashtra State,  
Ramgiri Road, Civil Lines, Nagpur 440 001.**

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No. Desk-17/FCA-S1/PID-155567/Nagpur/1765  
Nagpur – 440 001 Dated 09 / 06/2023.

To,  
The Principal Secretary (Forests),  
Revenue and Forest Department,  
Mantralaya, Mumbai-32.

**Sub:-**Proposal for diversion of 0.39300 ha. forest land for laying underground Optical Fiber Cable of Reliance Jio Infocomm Limited along the existing Right of Way of Deori to Bamhani (Deori to Amgaon) Road on New National Highway No. 543 from Km 0/000 to 32/000 in Gondia District in the State of Maharashtra (FP/MH/OFC/155567/2022 ).

Ref: Chief Conservator of Forests (T) Nagpur letter no.Desk-10/Land/C.R.1119/22-23/1214, dtd.09.11.2022.

The proposal for diversion of 0.39300 ha. forest land for laying underground Optical Fiber Cable of Reliance Jio Infocomm Limited along the existing Right of Way of Deori to Bamhani (Deori to Amgaon) Road on New National Highway No. 543 from Km 0/000 to 32/000 in Gondia District in the State of Maharashtra (FP/MH/OFC/155567/2022 ).

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

Sr. No.	Item	Name of the Village	Compartment No.	Survey No.	Gat No.	Length x Width (in Mtr)	Area (in Ha)	Remarks
1	laying underground Optical Fiber	Deori	553 (1675)	8	----	220 x 0.5	0.01100	P. F.
				528		420 x 0.5	0.02100	
				527		20 x 0.5	0.00100	
2	Cable of Reliance Jio Infocomm	Bhagi	544 (1664)	57	----	50 x 0.5	0.00250	P. F.
				2/1		100 x 0.5	0.00500	
				2/1		1240 x 0.5	0.06200	
3	Limited along the existing Right of Way of Deori to Bamhani (Deori to Amgaon) Road on New	Bargaon	482	1/1	----	50 x 0.5	0.00250	R.F.
			481	11/1		530 x 0.5	0.02650	(FDCM)
			547 (1627)	9/1		515 x 0.5	0.02575	P. F.
				108/1		240 x 0.5	0.01200	
				107/1		225 x 0.5	0.01125	
				85/1		50 x 0.5	0.00250	
			552 (1650)	184/1		110 x 0.5	0.00550	
4	National Highway No. 543 from Km	Wadegaon	589 (1633)	60/1	420	350 x 0.5	0.01750	P. F.
				25/4	414	180 x 0.5	0.00900	
				15/1	22	60 x 0.5	0.00300	

	0/000 to 32/000 in		482	10/1	19	385 x 0.5	0.01925	R.F. (FDCM)
5	Gondia District in the State of Maharashtra (FP/MH/OFC/155567/2022 )	Sawali	--	--	95	115 x 0.5	0.00575	Z.J.F.D.
6		Dongargaon	555 (2110)	--	231	55 x 0.5	0.00275	P.F.
7		Hardoli	559 (2107)	6/3	141	310 x 0.5	0.01550	P.F.
				4/3	129	240 x 0.5	0.01200	
				4/1	128	300 x 0.5	0.01500	
8		Kadhototola	518 (2098)	2/3	188	120 x 0.5	0.00600	P.F.
				5/1	189	405 x 0.5	0.02025	
9		Karutola (Satgaon)	537 (2099)	--	274	65 x 0.5	0.00325	P.F.
					275	100 x 0.5	0.00500	
10		Sakharitola	537 (2100)	--	268	150 x 0.5	0.00750	P.F.
					275	350 x 0.5	0.01750	
					95	65 x 0.5	0.00325	
					96	50 x 0.5	0.00250	
11		Pangaon	--	--	135	10 x 0.5	0.00050	Z.J.
					696	60 x 0.5	0.00300	
12		Anjora	--	83/1 k	39	475 x 0.5	0.02375	P.F.
			--		34	45 x 0.5	0.00225	
		Tank Pad	--	--	8	95 x 0.5	0.00475	Z.J.
Total Forest Area (in ha.)							0.39300	

3.00 The project has been initiated by M/s Reliance Jio Infocomm Ltd, Nagpur for seeking approval under Forest (Conservation) Act, 1980. The proposed project for laying underground Optical Fiber Cable of Reliance Jio Infocomm Limited along the existing Right of Way of Deori to Bamhani (Deori to Amgaon) Road on New National Highway No. 543 from Km 0/000 to 32/000 in Gondia District in the State of Maharashtra. The User Agency has highlighted that as per the policy of the Government of India, it was planned to laying Optical Fiber Cable for reliable communication from district headquarters to remote places. 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 0.39300 ha forest land under the Forest (Conservation) Act, 1980. **Out of 0.39300 ha proposed Forest land, 0.04825 ha. area is of FDCM Department.** The site inspection report of the Deputy Conservator of Forests, Gondia Forest Division, Gondia is enclosed file on page no 71 to 73.

The FDCM Ltd; Nagpur vide letter no.36, dtd.05.04.2023 has informed that area 0.04825 ha can be used for laying Optical Fiber Cable by the User Agency under this project with a condition to deposit an amount decided by the Board of Directors at the time of actual diversion of forest land. The same is enclosed on Page-

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Accordingly the Principal Chief Conservator of Forests (Wildlife) M. S. Nagpur has submitted a proposal to Govt. of Maharashtra regarding above mentioned project to be considered by SBWL for wildlife clearance vide letter no.446, dtd.23.05.2023. The same is enclosed on Page-

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

- 4.1 No suitable alternate land is available and the forest land required is lowest minimum. **Page-18**
- 4.2 The Density and Eco-value class- Southern tropical Dry deciduous Forest. NA. **Page-72**
- 4.3 There is no cutting and felling of trees involved in this project. **Page-75**
- 4.4 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. **Page-80.**
- 4.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. **Page-77.**
- 4.6 There is no violation of Forest (Conservation) Act 1980. **Page-53.**
- 4.7 The area proposed of village Village-Sakharitola, Karutola, Kadhositola of Tahsil Salekas, Village-Hardoli, Pauldawana, dongargaon, Sawali, Surtoli, Mohantola, Mulla and Wadegaon of Tahsil Deori, District-Gondia is beyond 10 Kms of the boundary of the protected area. Village-Borgaon, Bhagi, Deori of Tahsil Deori and District Gondia is within 10 km and beyond 5 kms from the boundary of the protected area (Sanctuary and National Park). **Page-81.**
- The user agency has submitted the copy of online part I & II for seeking recommendation of Standing Committee of NBWL/SBWL is enclosed herewith.
- 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. **Page-82.**

**5. The User Agency has submitted an undertaking that:-**

- 5.1 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. **Page-69 to 70**
- 5.2 To defray the cost of Net Present Value of the forest land proposed under diversion. **Page-78.**
- 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 along with 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. **Page-86.**
- 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 are 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 along the existing Right of Way of NH-543 Deori to Bamhani (Deori to Amgaon) Road on New NH-543 in District Gondia of the State of Maharashtra.

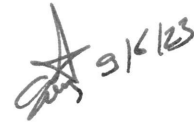
- 5.5 The copy of the NOC accorded by the National Highway Division, Gadchiroli Permission for laying utility dated 25/7/2022. **Page-64.**
- 6.00 The Deputy Conservator of Forests, Gondia Forest Division, Gondia and Chief Conservator of Forest (T), Nagpur has recommended the proposal for diversion of 0.39300 ha. of forest land. **Page-71 to 73.**
- 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) As per Government of India guidelines File No.5-3/2011/, FC(Vol-I) dt.06.01.2022 the Net Present Value may not be levied in case of laying of underground Optical Fiber Cables (OFC). Therefore the cost of Net Present Value may not be insist upon the User Agency.
  - iv) **The user agency shall submit permission from SBWL on or before Stage-1 compliance.**
  - v) **Working permission cannot be granted till the wildlife clearance is obtained by the user agency from the competent authority.**
  - vi) 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.
  - vii) 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.
  - viii) 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.
  - xi) For further maintenance of the project, the agency shall obtain permission from the Forest Department as and when required.
  - x) The forest land shall not be used for any purpose other than specified in the proposal.
  - xi) No felling of trees shall done during the implementation of project.
  - xii) 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.
  - xiii) No new forest area beyond the Right of Way of existing road should be broken for laying Optical Fiber Cable.
  - xiv) No labour camps shall be established on the forest land.



- xv) The layout plan of the proposal shall not be changed without prior approval of the State Government.
- xvi) This sanction is subject to the final clearance by the Department of Information & Technology for the project and concerned PWD/NHAI authorities for the project.
- xvii) All the conditions stipulated by the Forest Department shall be binding on the User Agency.
- xviii) All other conditions as may be mandatory under relevant Act, Rules and Guidelines shall be complied with by the User Agency.
- xix) 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.
- xx) The User Agency will make good the land after use/maintenance.
- xxi) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- xxii) Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
- xxiii) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/> )

It is therefore, the Government of Maharashtra is being requested for approving the proposal for diversion of 0.39300 ha. Forest Land under section 2 (ii) of the Forest (Conservation) Act, 1980 for laying underground Optical Fiber Cable along the existing Right of Way of Deori to Bamhani (Deori to Amgaon) Road on New National Highway No. 543 from Km 0/000 to 32/000 in Gondia District in the State of Maharashtra.

**Encl:** 1 copy of proposal



**(Naresh Zurmure)**

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

Copy Chief Conservator of Forests (T) 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 0.39300 ha. forest land for laying underground Optical Fiber Cable of Reliance Jio Infocomm Limited along the existing Right of Way of Deori to Bamhani (Deori to Amgaon) Road on New National Highway No. 543 from Km 0/000 to 32/000 in Gondia District in the State of Maharashtra (FP/MH/OFC/155567/2022 ).

The details of land proposed for diversion is as under-

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3		Bargaon	482	1/1	----	50 x 0.5	0.00250	R.F. (FDCM)
			481	11/1		530 x 0.5	0.02650	P. F.
			547 (1627)	9/1		515 x 0.5	0.02575	
				108/1		240 x 0.5	0.01200	
				107/1		225 x 0.5	0.01125	
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4		Wadegaon	589 (1633)	60/1	420	350 x 0.5	0.01750	P. F.
				25/4	414	180 x 0.5	0.00900	
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			Tank Pad	--	8	95 x 0.5	0.00475	Z.J.
Total Forest Area (in ha.)							0.39300	

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

 21/6/23

**(Naresh Zurmure)**

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

Date: 09/06/2023

Place: Nagpur

**Proposal for diversion of 0.39300 ha. forest land for laying underground Optical Fiber Cable of Reliance Jio Infocomm Limited along the existing Right of Way of Deori to Bamhani (Deori to Amgaon) Road on New National Highway No. 543 from Km 0/000 to 32/000 in Gondia District in the State of Maharashtra (FP/MH/OFC/155567/2022 ).**

**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.**

The proposal for diversion of 0.39300 ha. forest land for laying underground Optical Fiber Cable of Reliance Jio Infocomm Limited along the existing Right of Way of Deori to Bamhani (Deori to Amgaon) Road on New National Highway No. 543 from Km 0/000 to 32/000 in Gondia District in the State of Maharashtra (FP/MH/OFC/155567/2022 ).

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- 5.4 The project is in ROW along with 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. **Page-86.**
- 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 are 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 along the existing Right of Way of NH-543 Deori to Bamhani (Deori to Amgaon) Road on New NH-543 in District Gondia of the State of Maharashtra.
- 5.5 The copy of the NOC accorded by the National Highway Division, Gadchiroli Permission for laying utility dated 25/7/2022. **Page-64.**




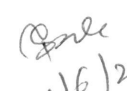
- 6.00 The Deputy Conservator of Forests, Gondia Forest Division, Gondia and Chief Conservator of Forest (T), Nagpur has recommended the proposal for diversion of 0.39300 ha. of forest land. **Page-71 to 73.**
- 7.00 **In view of this, the proposal is recommended for approval under the section -2 (ii) 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) As per Government of India guidelines File No.5-3/2011/, FC(Vol-I) dt.06.01.2022 the Net Present Value may not be levied in case of laying of underground Optical Fiber Cables (OFC). Therefore the cost of Net Present Value may not be insist upon the User Agency.
  - iv) **The user agency shall submit permission from SBWL on or before Stage-1 compliance.**
  - v) **Working permission cannot be granted till the wildlife clearance is obtained by the user agency from the competent authority.**
  - vi) 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.
  - vii) 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.
  - viii) 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.
  - xi) For further maintenance of the project, the agency shall obtain permission from the Forest Department as and when required.
  - x) The forest land shall not be used for any purpose other than specified in the proposal.
  - xi) No felling of trees shall done during the implementation of project.
  - xii) 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.

- xiii) No new forest area beyond the Right of Way of existing road should be broken for laying Optical Fiber Cable.
- xiv) No labour camps shall be established on the forest land.
- xv) The layout plan of the proposal shall not be changed without prior approval of the State Government.
- xvi) This sanction is subject to the final clearance by the Department of Information & Technology for the project and concerned PWD/NHAI authorities for the project.
- xvii) All the conditions stipulated by the Forest Department shall be binding on the User Agency.
- xviii) All other conditions as may be mandatory under relevant Act, Rules and Guidelines shall be compiled with by the User Agency.
- xix) 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.
- xx) The User Agency will make good the land after use/maintenance.
- xxi) Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC Guidelines F.No.11-42/2017-FC, dated 29/01/2018.
- xxii) Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife.
- xxiii) The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>)

Keeping in view of facts mentioned in above para, this proposal for diversion of 0.39300 ha. forest land for laying underground Optical Fiber Cable of Reliance Jio Infocomm Limited along the existing Right of Way of Deori to Bamhani (Deori to Amgaon) Road on New National Highway No. 543 from Km 0/000 to 32/000 in Gondia District in the State of Maharashtra is recommended for approval.

  
(Y. L. P. Rao)

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

dc   
16/6/23   
16/6/23