

TAMILNADU FOREST DEPARTMENT

From

To

Subrat Mohapatra, I.F.S.,
Principal Chief Conservator of Forests,
(Head of Forest Force)
Forest Head Quarters Building, Guindy-
Velachery Main Road, Guindy, Chennai-32.

The Additional Chief Secretary to
Government,
Environment, Climate Change and
Forest Department,
Secretariat, Chennai 9.

C. No. TS3/19763/2022 Dated: 14.03.2023.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for diversion of 0.1266 ha of forest land in Villupuram Forest Division for laying of underground Optical Fiber Cable along road side of Sankarapuram to Arakandanallur road section from Kulathur to Nariyandhal across Kaduvanur RF (2.00 km length-0.06 ha) and Swamimalai RF (2.22 km length-0.0666 ha) in Kallakuruchi District in favour of the M/s Reliance Jio Infocomm Limited, Chennai - Forwarding of - Reg.

Ref: 1. Online application uploaded by the User Agency - M/s Reliance Jio Infocomm Limited, Chennai - 4 Proposal No.FP/TN/Others/36379/2018, dated 06.10.2018 and resubmission of proposal on 26.06.2022 and 04.08.2022

2. Part-II of Form-A uploaded by the District Forest Officer, Villupuram Division on 18.01.2023

3 Part-III of Form-A uploaded by the Conservator of Forests, Villupuram Circle on 06.02.2023 and resubmission of proposal on 11.01.2023 and 18.02.2023

I wish to state that, M/s Reliance Jio Infocomm Limited, No. 89, Dr. Radhakrishnan Salai, Mylapore, Chennai - 4 has uploaded online forest clearance proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.1266 ha of forest land in Villupuram Forest Division for laying of underground Optical Fiber Cable along road side of Sankarapuram to Arakandanallur road section from Kulathur to Nariyandhal across Kaduvanur RF (2.00 km length-0.06 ha) and Swamimalai RF (2.22 km length-0.0666 ha) in Villupuram District (now in Kallakuruchi District) under proposal No. FP/TN/Others/36379/2018.

1) Brief details of the project are given below.

i) The User Agency has uploaded the proposal in the prescribed format of Form A - Part 1 - under Section 2 of the Forest (Conservation) Act, 1980 for diversion of fresh forest area.

ii) In the short narrative of the proposal for which forest land is required, the User Agency has reported that diversion of forest land is required for laying of optical fiber cable along road side of Sankarapuram to Arakandanallur road section from Kulathur to Nariyandhal across Kaduvannur RF and Swamimalai RF in Villupuram District.

iii) M/s Reliance Jio Infocomm Limited, having Office at No. 89, Dr. Radhakrishnan Salai, Mylapore, Chennai-4 has applied forest clearance proposal and for applying forest clearance proposal authorisation has been issued to the State Coordinate Officer.

iv) Diversion of 0.1266 ha of forest has been requested in Villupuram Forest Division area in erstwhile Villupuram District (now in Kallakuruchi District). Name of the village reported as Kulathur, Madampoondi and Nariyanthal for 0.1266 ha forest area and component wise break up reported as Linear.

v) Location map of the forest land proposed to be diverted in kml file of google earth, Scanned copy of Survey of India topo sheet indicating the boundary of forest land proposed to be diverted, Scanned copy of Geo referenced location map has been furnished.

vi) The user agency has proposed forest area diversion for laying of optical fiber cable along road side of Sankarapuram to Arakandanallur road section from Kulathur to Nariyandhal across Kaduvannur RF and Swamimalai RF in Villupuram District to a length of 4.22km to trench width of 0.30m. (Area 1266 sq.m or 0.1266 ha).

vii) The User Agency has stated that this project does not involve displacement of people due to the project and not requires clearance under the Environment (Protection) Act, 1986.

viii) The user agency has stated that the project or part thereof is not located in any protected area or their Eco sensitive zone.

ix) The User Agency has furnished the certificate issued by the District Collector, Kallakuruchi District about completion of process for settlement of rights under Forest Rights Act, 2006 on the forest land proposed for diversion in Ref. No. B7/2526/2021, dated 21.06.2022

x) The user agency has furnished following certificates/ undertakings/ details under additional Information details section.

a) Certified that, there is no work in violation of Forest (Conservation) Act, 1980 has been carried out in the project area.

b) Certified that forest land requested is the minimum required for the project and all other alternatives have been examined and found not feasible.

c) Undertaking to pay the Net Present Value of forest land required for the project.

d) Undertaking to pay the additional amount of Net Present Value of forest land demanded subsequently.

e) To bear the cost of raising and maintenance of compensatory afforestation and or penal compensatory afforestation as well as cost of protection of plantation as per the scheme prepared by the Government of Tamil Nadu in lieu of RF land diverted for the project and to deposit additional amount if any suggested as amended owing to change in planting technique, enhancement in FSR etc.,

f) Undertaking to pay the cost along with any escalation for exploitation of trees if any available in the alignment path.

g) 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.

h) Undertaking to lay the lease rent as fixed by the Forest Department at the time of sanction along with any escalation for the subsequent years.

i) Certificate obtained from the District Collector, Kallakuruchi about non-availability of non-forest land for the project in Ref. No. B7/2526/2021, dated 21.06.2022

j) Area requirement for the project reported as 4.22km length and 0.30m width i.e., 1266 sq.m or 0.1266 ha.

2) The District Forest Officer, Villupuram Division has forwarded the proposal along with Site Inspection report and recommendation of the proposal to the Conservator of Forests, Villupuram Circle on 18.01.2023 through online.

Details furnished in the Part-II of Form A by the District Forest Officer, Villupuram Division is furnished below.

i) The legal status of the proposed site of diversion of 0.1266 ha of forest land requested for the project is Reserved Forests.

As per the site inspection report and recommendation of the project uploaded by the District Forest Officer, Villupuram Division, name of the forest land reported as Kaduvanur RF and Swamimalai RF.

ii) The District Forest Officer has reported that, density of the forest area is 0.4 and Eco class of forest area is three.

iii) In the Part-II of Form-A, the District Forest Officer has reported that species wise and girth class wise enumeration of trees in the area is NIL.

iv) On vulnerability of the forest land proposed for diversion, the District Forest Officer has reported that it did not affect the soil because, laying of optical fibre cable did not have contact with ground surface of the forest, so it does not affect the soil.

v) The District Forest Officer has not reported the wildlife present in and around the forest land proposed for diversion. The forest area proposed for diversion is not forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant corridor, Wildlife migration corridor etc., and not located within the eco-sensitive zone of the protected area notified under Wildlife (Protection) Act, 1972 and not located within 1 km boundary of NP/WLs etc., for the forest land proposed for diversion. There is no rare/ endangered / unique species of flora and fauna found in the area.

vi) There is no protected archaeological/ heritage site/ defense establishment or any other important monument is located in the area.

vii) Requirement of forest land as proposed by the User Agency is unavoidable and bare minimum for the project and no work in violation of the Act or guidelines has been carried out.

viii) As per Forest Conservation Act, 1980 guidelines under special provisions for CA for certain categories of schemes, CA shall be raised and maintained at the cost of user agency on degraded forest land twice in extent of forest area diverted for laying of telephone/optical fibre cable.

For the proposed diversion of 0.1266 ha of forest area Compensatory Afforestation scheme has been proposed for planting of 254 number of saplings in the degraded forest area identified in Thagarai RF at a total cost of Rs. 322905/- including maintenance of plantation over a period of 10 years. Certificate regarding suitability of compensatory afforestation land has been furnished in the project proposal.

ix) In the site inspection report, the District Forest Officer has stated that, site inspection carried out on 07.11.2022, Laying of Optical Fibre Cable proposed along

the along the road side from Sankarapuram to Nariyandhal road section from Kulathur to Nariyandhal over an area of 0.1266 ha in Kaduvanur RF and Swamimalai RF in Kallakuruchi District. It is existing older high way road. There is no tree felling involved in this project. There is no hindrance to the Flora and Fauna. There is no felling of spontaneous tree species. There is no elephant corridor. Length of the OFC falls in forest area is 4200m and trench size is 0.30m width, thus area required for the project is 1266 sq.m or 0.1266 ha.

x) The District Forest Officer, Villupuram Division has reported that, it is public project. This project is very essential to effective function of the network communication in future and hence recommended.

3) The Conservator of Forests, Villupuram Circle has inspected the area on 03.02.2023 and 04.02.2023 and in his recommendation has stated that the proposed laying of Optical Fibre cable falls adjacent to existing road in Kaduvanur RF and Swamimalai RF. The request of the user agency is genuine, hence this proposal is recommended.

4) The User Agency has requested forest area diversion for a period of 99 years. The District Forest Officer, Villupuram Division and Conservator of Forest, Villupuram Circle have recommended the diversion of forest area for a period of 25 years.

Based on the recommendation made by the Conservator of Forests, for laying of underground Optical Fiber Cable work in the forest area, diversion of forest land is recommended for 25 years.

5) In Government of India guidelines of Forest (Conservation) Act, 1980 in F. No. 5-3/2007-FC, dated 05.02.2009, full exemption for payment of Net Present Value for underground laying of Optical Fibre Cable has been allowed for areas falling outside National Park/Sanctuary and there is no felling of trees is involved.

As per the details furnished by the District Forest Officer, there is no tree felling is involved in this project proposal and area falls outside National Park/Sanctuary, hence payment of Net Present Value of forest area may not be insisted.

6) State Government may accord diversion of forest land of less than one hectare in each case for non forestry purposes under the Forest (Conservation) Act, 1980, for creation of critical development and security related infrastructure of Government Departments under the general approval of Section 2 of Forest (Conservation) Act, 1980 guidelines.

In this case, though the forest area diversion is less than one hectare, the project proponent/user agency is a private company, hence, approval of Government of India is required under Forest Conservation Act, 1980 for forest area diversion to private entity.

7) The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (Forest Conservation Act) / Nodal Officer of Forest (Conservation) Act, 1980 of the State of Tamil Nadu.

8) Based on the recommendation made by the District Forest Officer, Villupuram Division and Conservator of Forests, Villupuram Circle, proposal received from the M/s Reliance Jio Infocomm Limited, Chennai for diversion of 0.1266 ha forest land for laying Optical Fibre Cable along the road side from Sankarapuram to Nariyandhal road section from Kulathur to Nariyandhal over a distance of 4.22 km across Kaduvanur RF (2.00 km length-0.06 ha) and Swamimalai RF (2.22 km length-0.0666 ha) in Kallakuruchi District, seeking approval under Section 2 of Forest (Conservation) Act, 1980 may be furnished to the Government for obtaining orders from the Government of India subject to the following conditions.

a) The legal status of the diverted forest land remains unchanged.

b) Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars, duly numbered, at the appropriate distance as decided by the District Forest Officer, Villupuram Division at the cost of user agency.

c) The user agency has to pay the cost towards compensatory afforestation scheme selected in Thagarai RF of Villupuram Forest Division

d) The User Agency has to bear the additional amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India as fixed by Forest Department in future.

e) Amount of Compensatory afforestation scheme under the project shall be transferred/ deposited to CAMPA fund only through e-portal (<https://parivesh.nic.in/>).

f) The User Agency has to pay the cost towards lease rent for the forest area diversion period as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted of the above project in future for the entire project period.

g) The total forest area utilized for the project shall not exceeds 0.1266 ha for laying Optical Fibre Cable to a length of 4.22 km with a width of 0.30 m in Kaduvanur RF (2.00 km length- 0.06 ha) and Swamimalai RF (2.22 km length-0.0666

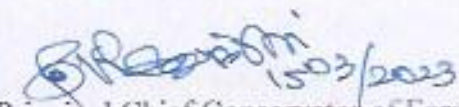
ha) along the existing road side from Sankarapuram to Nariyandhal road section from Kulathur to Nariyandhal

h) Period of lease can be twenty five (25) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.

9) I request that, the proposal may be considered and forwarded to the Government of India for obtaining concurrence for diversion of 0.1266 ha forest land for laying Optical Fibre Cable along the road side from Sankarapuram to Nariyandhal road section from Kulathur to Nariyandhal over a distance of 4.22 km across Kaduvanur RF (2.00 km length-0.06 ha) and Swamimalai RF (2.22 km length-0.0666 ha) in Kallakuruchi District in favour of M/s Reliance Jio Infocomm Limited, No. 89, Dr. Radhakrishnan Salai, Mylapore, Chennai -4 for a period of 25 years.

Encl: As stated above.

Yours faithfully


For Principal Chief Conservator of Forests
(Head of Forest Force)

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15/03/2023

PART - IV

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

Name of the work : Forest (Conservation) Act, 1980 - Diversion of 0.1266 ha of forest land in Villupuram Forest Division for laying of underground Optical Fiber Cable along road side of Sankarapuram to Arakandanallur road section from Kulathur to Nariyandhal across Kaduvanur RF (2.00 km length-0.06 ha) and Swamimalai RF (2.22 km length-0.0666 ha) in Kallakuruchi District in favour of the M/s Reliance Jio Infocomm Limited, Chennai - Proposal No. FP/TN/Others/36379/2018

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)

Recommended
K. Raja
28/2/23

Signature :

Name Designation : Tmt. V. Karunapriya, I.F.S.,
Additional Principal Chief Conservator of Forests
(Forest Conservation Act), O/o the Principal Chief
Conservator of Forests (Head of Forest Force), Chennai.

Date : 28-02-2023

Place: Chennai-32.