

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 0.039 ha. forest land in favour of Reliance JIO Infocomm Ltd., Nagpur for laying Optical Fiber Cable of along Jodmoha, Devnala, Potgavhan, Nanza and Dongerkhard in Kalamb Tahsil of Yavatmal District in the State of Maharashtra (FP/MH/OFC/43332/2019).

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.	Length x Width (in Mtr)	Area (in Ha)	Remarks
1	Diversion of 0.039 ha. forest land in favour of Reliance JIO Infocomm Ltd., Nagpur for laying Optical Fiber Cable of along Jodmoha, Devnala,	Devnala	370	16,17,67	760 x 0.40	0.030	Reseved Forest
2	Potgavhan, Nanza and Dongerkhard in Kalamb Tahsil of Yavatmal District in the State of Maharashtra (FP/MH/OFC/4333 2/2019)	Nanza	(E Class)	156	210 x 0.40	0.009	
Total Forest Area (in ha.)						0.039	

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached.

(NareshZurmure)

Additional Principal Chief Conservator of Forests
& Nodal Officer

Date: 9/11/2022

Place: Nagpur

Proposal for diversion of 0.039 ha. forest land in favour of Reliance JIO Infocomm Ltd., Nagpur for laying Optical Fiber Cable of along Jodmoha, Devnala, Potgavhan, Nanza and Dongerkhard in Kalamb Tahsil of Yavatmal District in the State of Maharashtra (FP/MH/OFC/43332/2019).

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 0.039 ha. forest land in favour of Reliance JIO Infocomm Ltd., Nagpur for laying Optical Fiber Cable of along Jodmoha, Devnala, Potgavhan, Nanza and Dongerkhard in Kalamb Tahsil of Yavatmal District in the State of Maharashtra (FP/MH/OFC/43332/2019).

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2		Nanza	(E Class)	156	210 x 0.40	0.009	
Total Forest Area (in ha.)						0.039	

3.00 The project has been initiated by Reliance JIO Infocomm Ltd., Nagpur for seeking approval under Forest (Conservation) Act, 1980 for laying Optical Fiber Cable of along Jodmoha, Devnala, Potgavhan, Nanza and Dongerkhard in Kalamb Tahsil of Yavatmal District in the State of Maharashtra. 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 0.039 ha forest land under the Forest (Conservation) Act, 1980. The site inspection report of the Deputy Conservator of Forests, Yavatmal Forest Division, Yavatmal is enclosed file on page no 71 to 73. Project Note submitted by the Project Authority is enclosed in the file on Page no. 41 to 43.

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

- 4.1 No suitable alternate land is available and the forest land required is lowest minimum.
- 4.2 The area belongs to Eco-value class-III and having density is 0.4 to 0.6 comes under Southern Tropical Dry Deciduous Forests
- 4.3 There is no cutting and felling of trees involved in this project.
- 4.4 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc.
- 4.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 4.6 There is no violation of Forest (Conservation) Act 1980.
- 4.7 The proposed area for the project is beyond 10 kms from the boundary of the protected area (Sanctuary and National Park).
- 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.

5.00 The User Agency has submitted an undertaking that:-

- 5.1 To defray the cost of compensatory afforestation.
- 5.2 To defray the cost of Net Present Value of the forest land proposed under diversion.
- 5.3 The project is in ROW alongwith the existing Road, hence settlement of rights in accordance with Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is not required.
- 5.4 The copy of the NOC accorded by the Executive Engineer, Government of Maharashtra Office of the Executive Engineer, P.W.Division-1, Yavatmal, Public Works Department, Permission for laying utility dated 19/3/2019 is enclosed.
- 6.00 The Deputy Conservator of Forests, Yavatmal Forest Division, Yavatmal and Conservator of Forest (T), Yavatmal have recommended the proposal for diversion of 0.039 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 guideline dated 06/01/2022 as there is no felling of trees is involved in the project and the proposed area falls outside National Park/Sanctuary.
- 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) All the conditions stipulated by the Forest Department shall be binding on the User Agency.
- xiv) All other conditions as may be mandatory under relevant Act, Rules and Guidelines shall be complied with by the User Agency.
- xv) 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.
- xvi) The User Agency will make good the land after use/maintenance.



(Y.L.P.Rao)

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 0.039 ha. forest land in favour of
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Fiber Cable of along Jodmoha, Devnala, Potgavhan,
Nanza and Dongerkhard in Kalamb Tahsil of Yavatmal
District in the State of Maharashtra
(FP/MH/OFC/43332/2019).

No. : Desk-17/Nodal/Yavatmal/I.D-12977/1993/2022-23

Nagpur – 440 001, Dated 09/11/2022

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

M/s Reliance JIO Infocomm Ltd., Nagpur has submitted Proposal for diversion of 0.039 ha. forest land for laying Optical Fiber Cable of along Jodmoha, Devnala, Potgavhan, Nanza and Dongerkhard in Kalamb Tahsil of Yavatmal District in the State of Maharashtra (FP/MH/OFC/43332/2019). The details of the forest land proposed for diversion are as under:-

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proposal for diversion 0.039 ha forest land under the Forest (Conservation) Act, 1980. The site inspection report of the Deputy Conservator of Forests, Yavatmal Forest Division, Yavatmal is enclosed file on page no 71 to 73. Project Note submitted by the Project Authority is enclosed in the file on Page no. 41 to 43.

3.00 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.

3.1 Prescribed form dated 10/01/2003.

3.2 Certificate regarding minimum demand of forest land for the project,

3.3 Area Statement,

3.4 Index map in suitable scale,

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

4.1 No suitable alternate land is available and the forest land required is lowest minimum.

4.2 The area belongs to Eco-value class-III and having density is 0.4 to 0.6 comes under Southern Tropical Dry Deciduous Forests.

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4.6 There is no violation of Forest (Conservation) Act 1980.

4.7 The proposed area for the project is beyond 10 kms from the boundary of the protected area (Sanctuary and National Park).

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- xv) 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.
- xvi) The User Agency will make good the land after use/maintenance.

8.00 In view of para no. 7 above, it is requested that the Government of Maharashtra may kindly accord general approval for submitted diversion of 0.039 ha. forest land in favour of Reliance JIO Infocomm Ltd., Nagpur for laying Optical Fiber Cable of along Jodmoha, Devnala, Potgavhan, Nanza and Dongerkhard in Kalamb Tahsil of Yavatmal District in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 1 Copy

Handwritten signature and date: 31/11/22

(NareshZurmure)
Addl. Principal Chief Conservator of Forests
& Nodal Officer, Nagpur

Copy to the Conservator of Forests (Territorial) Yavatmal for information.

Copy to the Deputy Conservator of Forests, Yavatmal Forest Division, Yavatmal for information.

Copy to the M/s Reliance JIO Infocomm Ltd., Nagpur for information