



महाराष्ट्र वन विभाग

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**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

**Sub.:-** Proposal for diversion of 0.190 ha. Reserved Forest land in favour M/s Reliance JIO Infocomm Ltd, Hingna Road, Nagpur for laying of underground optical Fiber Cable line from Pimpalgaon to Tornala Road Old NH-188 (New SH-44) in Compt No 464 and 466 at Village Tornala, Tal-Jamner, Distt-Jalgaon in the State of Maharashtra

No. : Desk-17/NC/II/ID 12712/(30)/802 /2019-20  
Nagpur – 440 001, Dated: 7/8/2019

To,

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

**Ref:-** CCF (T) Dhule letter No. Desk-5/Nodal/C.R/ 165 /2018-19 dated 05/02/2018 and  
Desk-5/Nodal/C.R/ 204 /2018-19 dated 30/03/2019

The proposal is for diversion of 0.190 ha. Reserved Forest land under Section-2 (ii) of the Forest (Conservation) Act,1980 for laying of Optical Fiber Cable line from Pimpalgaon to Tornala Road Old NH-188 (New SH-44) in Compt No 464 and 466 at Village Tornala, Tal-Jamner, Distt-Jalgaon in the State of Maharashtra. Total non forest area involved in the project is 2.00 ha. The details of forest land proposed for the project is as under:-

Item of Work	Village, Tehsil & District	Compt No	Length x Width	Area in Sq Mtr	Area in Ha.	Legal Status
Laying under ground OFC Line	Village – Tornala Tal-Jamner District- Jalgaon	464	1400 x 1.0	1400	0.140	Reserved Forest
		466	500 x 1.0	500	0.050	
Total				1900	0.190	

2.1 The project has been initiated by M/s. Reliance JIO, Infocomm Ltd, Hingna Road, Nagpur, for laying of Optical Fiber Cable line from Pimpalgaon to Tornala Road Old NH-188 (New SH-44) in Compt No 464 and 466 at Village Tornala, Tal-Jamner, Distt-Jalgaon in the State of Maharashtra.

2.2 The Project Authority has highlighted that as per Govt of India policy it was planned to lay Optical Fiber Cable line for reliable communication from remote places to district/State Headquarters. Priority has been given to tribal/under developed areas. Therefore Optical Fiber Cable line has been proposed from Pimpalgaon to Tornala Road Old NH-188 (New SH-44) in Compt No 464 and 466 at Village Tornala, Tal-Jamner, Distt-Jalgaon in the State of Maharashtra.

2.3 The aforesaid project is pursuant to the directives issued by the Government of India MOEF (FC Division) vide their letter No. 11-9/98-FC dated 13/02/2014 and GOI Ministry of Communications & IT Department of Telecommunications vide their letter No 10-31/2011-CS-III, dt 23/06/2011.

2.4 Chief Engineer, Public Works Division, Nashik conveyed approval for laying utility vide letter No का-5/सांबांप्राविना/प्रआ/e-OFC/प्र.क्र.28/973/2018 दि. 28/02/2018 .

3. Government of India has conveyed its general approval vide letter No. 11-9/98-FC dated 13/02/2014 & 21/08/2014 for 13 activities subject to some conditions under section-2 of the Forest (Conservation) Act, 1980 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 is included in' these 13 activities. The validity of General approval under section 2(ii) of FC Act, 1980 has been extended up to 31/12/2020 vide GOI letter dated 15/02/2018.

4. The Chief Conservator of Forests (T), Dhule vide letter No Desk-5/Nodal/CR/165/2018-19 dated 05/02/2018 and Desk-5/Nodal/CR/204/2018-19 dated 30/03/2019-18-19 has submitted the proposal in prescribed form alongwith following documents :-

4.1 **The Deputy Conservator of Forests, Jalgaon has submitted the following certificate :-**

- 4.1.1 Demand for the required forest land is lowest minimum demand for the proposed work of OFC laying project..
- 4.1.2 The provision of the Forest (Conservation) Act, 1980 and guidelines under it, has not been violated by the user agency .
- 4.1.3 The project area is beyond 10 Kms of the boundary of protected area (Sanctuary and National Park) .
- 4.1.4 There is no cutting and felling of trees involved in the project.
- 4.1.5 1.00 ha degraded forest land of Compt No 467 at Vill-Junone, Tal-Junnar, Distt- Jalgaon identified for compensatory afforestation and is suitable for afforestation and Management purpose and it is free from encroachment and an encumbrances.
- 4.1.6 The proposed project area belong Eco Value Class III, Consisting of Tropical dry Deciduous Forests.
- 4.1.7 The proposed area is not likely to affect any monument site of cultural, historical, religious, archeological or recreational importance.
- 4.1.8 The laying of underground OFC from Pimpalgaon to Tornala Road Old NH-188 (New SH-44) section in Jalgaon proposed along the road and forms part of the ROW.
- 4.1.9 The non forest land 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 under interim judgment of the Hon'ble Supreme Court dated 12/12/1996.

4.1.10 The Deputy Conservator of Forest, Jalgaon has submitted the site inspection report dated 22/01/2019.

4.2 **The User Agency has submitted the following undertakings :-**

4.2.1 User Will take care to ensure that no unlawful act takes place during execution of work.

4.2.2 To defray the cost as determined by the Forest Department for compensatory afforestation on degraded forest land.

4.2.3 User Agency will restore the land to its original level by proper back filling, after laying underground OFC along the road side Pimpalgaon to Tornala Road Old NH-188 (New SH-44) Distt-Jalgaon.

4.2.4 User Agency will agree to make good any loss to forest and environment in this area, if it occurs during execution of work.

4.2.5 The project authority has agrees to provide 2MBPS Bandwidth independently at free of cost, to Forest Department. The case is forwarded to Reliance JIO Infocomm Ltd and further action will be taken as per guidelines issued by RJIL HQ.

5. The Deputy Conservator of Forest, Jalgaon has recommended the proposal for sanction.

6. Chief Conservator of Forests (T), Dhule has recommended the proposal for sanction.

7. **In view of this, the proposal is recommended for approval under section - 2 (ii) subject to the following conditions.**

7.1 The legal status of the land shall remain unchanged.

7.2 The compensatory afforestation will be raised on 1.00 ha degraded forest land of Compt No 467 at Vill-Junone, Tal-Junnar, Distt-Jalgaon. As per GOI guidelines dated 08/11/2017 at least 1000 plants per ha. to be planted on degraded forest land identified for compensatory afforestation.

7.3 Net Present Value is exempted for laying of underground optical Fibre cable as per GOI guidelines No 5-3/2007-FC dated 05/02/2009.

7.4 The optical fiber cable line will be laid within maximum size of the trench of 2.00 m depth & 1.00 m width with cable line under the PVC Pipeline.

7.5 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

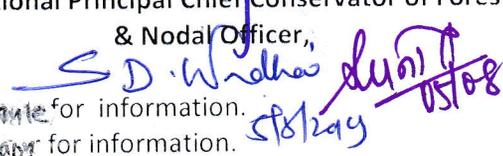
7.6 If the cable is going to be laid in the formation width of the road, then additional charges in form of bank guarantee shall be given at the rate of Rs.35/- per running mtr Similarly for reclamation of side drain and for tarred portion, the guarantee will be at the rate of Rs. 300/- per mtr and Rs.750/- 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.

7.7 For further maintenance of the project, the user agency shall obtain permission from the concerned Deputy Conservator of Forests as and when required.

- 7.8 The forest land shall not be used for any purpose other than specified in the proposal.
- 7.9 No felling of trees shall be done during the implementation of project.
- 7.10 No new forest area beyond the Right of Way of existing road should be broken for laying Optical Fiber Cable.
- 7.11 The Chief Conservator of Forests (T), Dhule shall report the details of amount recovered from the project authority towards the cost of compensatory afforestation at prevalent rate and all other cost required as per rules in due course of time.
- 7.12 The user agency will make good the land after use/maintenance
- 7.13 All the amount received from the user agency under the project shall be transferred to the Ad-hoc Compensatory Afforestation Fund Management & Planning Authority (CAMPA) in A/c No. SB01025218 of Corporation Bank, Block-11, CGO Complex, Phase-I, Lodhi Road, New Delhi-110 003 and compliance will be reported to this office for record.
- 7.14 The sanction will be subject to the final clearance by the Department of Information & Technology, GOI in pursuance to their letter dated 23/06/2011 and concerned PWD authorities for the project.
- 7.15 The user agency will be authorized to lay the Optical Fiber Cable only outside the confines of the protected area. Any breach of the conditions by the user agency will be treated as violation of the provision of Forest (Conservation) Act, 1980.
- 7.16 The user agency shall compensate the private owner of forest land, if any in accordance with the prevalent laws, rules and guidelines.
- 7.17 All the conditions stipulated by the Forest Department shall be binding on the user agency.
- 7.18 All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied with by the user agency.
- 7.19 All necessary approvals required for the project as per prevailing laws of the land would be obtained by the user agency before statutory sanction.

In view of para 3 above, it is requested that the Government of Maharashtra may kindly be accord general approval for diversion of 0.190 ha Reserved forest land in favour of M/s. Reliance JIO, Infocomm Ltd., Hingna Road, Nagpur for laying of Optical Fiber Cable line from Pimpalgaon to Tornala Road Old NH-188 (New SH-44) in Compt No 464 and 466 at Village Tornala, Tal-Jamner, Distt-Jalgaon in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act ,1980.

Encls : As above

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


Copy forwarded to Chief Conservator of Forests, (T) Dhule for information.  
 Copy forwarded to Deputy Conservator of Forests, Jalgaon for information.  
 Copy forwarded to M/s. Reliance JIO, Infocomm Ltd, E3 MIDC, Opposite Tata Motors ,Hingna Road , Nagpur for information.

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**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.:- M/s. Reliance JIO, Infocomm Ltd, Hingna Road , Nagpur submitted the proposal for laying of Optical Fiber Cable line from Pimpalgaon to Tornala Road Old NH-188 (New SH-44) in Compt No 464 and 466 at Village Tornala, Tal-Jamner, Distt-Jalgaon in the State of Maharashtra for which 0.190 ha. Reserved forest land required under Section – 2 (ii) of the Forest (Conservation) Act, 1980 has been proposed by user agency. The details of the forest land proposed for diversion is as under :-

Item of Work	Village, Tehsil & District	Compt No	Length x Width	Area in Sq Mtr	Area in Ha.	Legal Status
Laying under ground OFC Line	Village – Tornala. Tal-Jamner District- Jalgaon	464	1400 x 1.0	1400	0.140	Reserved Forest
		466	500 x 1.0	500	0.050	
Total				1900	0.190	

***Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 9A.***

Date : 7 /08/2019  
Place : Nagpur

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

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**Diversion of 0.190 ha. Reserved Forest land for laying of underground Optical Fiber Cable Line from Pimpalgaon to Tornala Road Old NH-188 (New SH-44) in Compt No 464 and 466 at Village Tornala, Tal-Jamner, Distt-Jalgaon in the State of Maharashtra.**

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

The proposal is for diversion of 0.190 ha. Reserved Forest land under Section-2 (ii) of the Forest (Conservation) Act, 1980 for laying of Optical Fiber Cable line from Pimpalgaon to Tornala Road Old NH-188 (New SH-44) in Compt No 464 and 466 at Village Tornala, Tal-Jamner, Distt-Jalgaon in the State of Maharashtra. Total non forest area involved in the project is 2.00 ha. The details of forest land proposed for the project is as under:-

Item of Work	Village, Tehsil & District	Compt No	Length x Width	Area in Sq Mtr	Area in Ha.	Legal Status
Laying under ground OFC Line	Village - Tornala Tal-Jamner District- Jalgaon	464	1400 x 1.0	1400	0.140	Reserved Forest
		466	500 x 1.0	500	0.050	
Total				1900	0.190	

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2.1 The project has been initiated by M/s. Reliance JIO, Infocomm Ltd, Hingna Road, Nagpur, for laying of Optical Fiber Cable line from Pimpalgaon to Tornala Road Old NH-188 (New SH-44) in Compt No 464 and 466 at Village Tornala, Tal-Jamner, Distt-Jalgaon in the State of Maharashtra.

2.2 The Project Authority has highlighted that as per Govt of India policy it was planned to lay Optical Fiber Cable line for reliable communication from remote places to district/State Headquarters. Priority has been given to tribal/under developed areas. Therefore Optical Fiber Cable line has been proposed from Pimpalgaon to Tornala Road Old NH-188 (New SH-44) in Compt No 464 and 466 at Village Tornala, Tal-Jamner, Distt-Jalgaon in the State of Maharashtra.

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2.3 The aforesaid project is pursuant to the directives issued by the Government of India MOEF (FC Division) vide their letter No. 11-9/98-FC dated 13/02/2014 and GOI Ministry of Communications & IT Department of Telecommunications vide their letter No 10-31/2011-CS-III, dt 23/06/2011.

P/33,34

2.4 Chief Engineer, Public Works Division, Nashik conveyed approval for laying utility vide letter No का-5/सांबांप्राविना/प्रआ/e-OFC/प्र.क्र.28/973/2018 दि. 28/02/2018 .

P/37

3. Government of India has conveyed its general approval vide letter No. 11-9/98-FC dated 13/02/2014 & 21/08/2014 for 13 activities subject to some conditions under section-2 of the Forest (Conservation) Act, 1980 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' is included in these 13 activities. The validity of General approval under section 2(ii) of FC Act, 1980 has been extended up to 31/12/2020 vide GOI letter dated 15/02/2018.

4. The Chief Conservator of Forests (T), Dhule vide letter No Desk-5/Nodal/CR/165/2018-19 dated 05/02/2018 and Desk-5/Nodal/CR/204/2018-19 dated 30/03/2019 has submitted the proposal in prescribed form alongwith following documents :-

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4.1 **The Deputy Conservator of Forests, Jalgaon has submitted the following certificate :-**

- 4.1.1 Demand for the required forest land is lowest minimum demand for the proposed work of OFC laying project.. P/50
- 4.1.2 The provision of the Forest (Conservation) Act, 1980 and guidelines under it, has not been violated by the user agency . P/49
- 4.1.3 The project area is beyond 10 Kms of the boundary of protected area (Sanctuary and National Park) . P/20
- 4.1.4 There is no cutting and felling of trees involved in the project. P/25
- 4.1.5 1.00 ha degraded forest land of Compt No 467 at Vill-Junone, Tal-Junnar, Distt-Jalgaon identified for compensatory afforestation and is suitable for afforestation and Management purpose and it is free from encroachment and an encumbrances. P/52
- 4.1.6 The proposed project area belong Eco Value Class III, Consisting of Tropical dry Deciduous Forests. P/22
- 4.1.7 The proposed area is not likely to affect any monument site of cultural, historical, religious, archeological or recreational importance. P/24
- 4.1.8 The laying of underground OFC from Pimpalgaon to Tornala Road Old NH-188 (New SH-44) section in Jalgaon proposed along the road and forms part of the ROW. P/23
- 4.1.9 The non forest land 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 under interim judgment of the Hon'ble Supreme Court dated 12/12/1996. P/51

- 4.1.10 The Deputy Conservator of Forest, Jalgaon has submitted the site inspection report dated 22/01/2019 .
- 4.2 **The User Agency has submitted the following undertakings :-**
- 4.2.1 User Will take care to ensure that no unlawful act takes place during execution of work.
- 4.2.2 To defray the cost as determined by the Forest Department for compensatory afforestation on degraded forest land .
- 4.2.3 User Agency will restore the land to its original level by proper back filling, after laying underground OFC along the road side Pimpalgaon to Tornala Road Old NH-188 (New SH-44) Distt-Jalgaon.
- 4.2.4 User Agency will agree to make good any loss to forest and environment in this area, if it occurs during execution of work.
- 4.2.5 The project authority has agrees to provide 2MBPS Bandwidth independently at free of cost, to Forest Department. The case is forwarded to Reliance JIO Infocomm Ltd and further action will be taken as per guidelines issued by RJIL HQ.
5. The Deputy Conservator of Forest, Jalgaon has recommended the proposal for sanction.
6. Chief Conservator of Forests (T) , Dhule has recommended the proposal for sanction.
7. **In view of this, the proposal is recommended for approval under section - 2 (ii) subject to the following conditions.**
- 7.1 The legal status of the land shall remain unchanged.
- 7.2 The compensatory afforestation will be raised on 1.00 ha degraded forest land of Compt No 467 at Vill-Junone, Tal-Junnar, Distt-Jalgaon. As per GOI guidelines dated 08/11/2017 at least 1000 plants per ha. to be planted on degraded forest land identified for compensatory afforestation.
- 7.3 Net Present Value is exempted for laying of underground optical Fibre cable as per GOI guidelines No 5-3/2007-FC dated 05/02/2009.
- 7.4 The optical fiber cable line will be laid within maximum size of the trench of 2.00 m depth & 1.00 m width with cable line under the PVC Pipeline.
- 7.5 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
- 7.6 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

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- 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.
- 7.7 For further maintenance of the project, the user agency shall obtain permission from the concerned Deputy Conservator of Forests as and when required.
  - 7.8 The forest land shall not be used for any purpose other than specified in the proposal.
  - 7.9 No felling of trees shall be done during the implementation of project.
  - 7.10 No new forest area beyond the Right of Way of existing road should be broken for laying Optical Fiber Cable.
  - 7.11 The Chief Conservator of Forests (T), Dhule shall report the details of amount recovered from the project authority towards the cost of compensatory afforestation at prevalent rate and all other cost required as per rules in due course of time.
  - 7.12 The user agency will make good the land after use/maintenance
  - 7.13 All the amount received from the user agency under the project shall be transferred to the Ad-hoc Compensatory Afforestation Fund Management & Planning Authority (CAMPA) in A/c No. SB01025218 of Corporation Bank, Block-11, CGO Complex, Phase-I, Lodhi Road, New Delhi-110 003 and compliance will be reported to this office for record.
  - 7.14 The sanction will be subject to the final clearance by the Department of Information & Technology, GOI in pursuance to their letter dated 23/06/2011 and concerned PWD authorities for the project.
  - 7.15 The user agency will be authorized to lay the Optical Fiber Cable only outside the confines of the protected area. Any breach of the conditions by the user agency will be treated as violation of the provision of Forest (Conservation) Act, 1980.
  - 7.16 The user agency shall compensate the private owner of forest land, if any in accordance with the prevalent laws, rules and guidelines.
  - 7.17 All the conditions stipulated by the Forest Department shall be binding on the user agency.
  - 7.18 All other conditions as may be mandatory under relevant Acts, Rules and Guidelines shall be complied with by the user agency.
  - 7.19 All necessary approvals required for the project as per prevailing laws of the land would be obtained by the user agency before statutory sanction.

(U K Agrawal)

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

31/7/2019

S. D. Wholhai