

By online / email

TAMILNADU FOREST DEPARTMENT

From

Thiru Syed Muzammil Abbas, I.F.S.,
Principal Chief Conservator of Forests,
(Head of Forest Force)
Panagal Maaligai, Saidapet,
Chennai - 15.

To

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

C. No. TS3/7005/2020 Dated: 21 .09.2022.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for diversion of 0.477 ha of forest land in Dharmapuri Forest Division area and 0.315 ha of forest area in Hosur Wildlife Division area for laying of underground Optical Fiber Cable along Dharmapuri to Anchetty road of Hogenakkal stretch in Dharmapuri and Krishnagiri Districts in favour of M/s Reliance Jio Infocomm Limited, No. 89, Radhakrishnan Salai, Mylapore, Chennai – 4 - Forwarding of - Regarding.

- Ref: 1. Online application uploaded by the User Agency - M/s Reliance Jio Infocomm Limited, No. 89, Radhakrishnan Salai, Mylapore, Chennai - 4 Proposal No. FP/TN/Others/30206/2017
2. Part-II of Form-A uploaded by the Wildlife Warden, Hosur Division on 04.01.2021
3. Part-II of Form-A uploaded by the District Forest Officer, Dharmapuri Division on 05.03.2021
4. Part-III of Form-A uploaded by the Conservator of Forests, Dharmapuri Circle on 05.01.2022

I wish to inform that, M/s Reliance Jio Infocomm Limited, No. 89, Radhakrishnan Salai, Mylapore, Chennai - 4 has uploaded online forest clearance proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.477 ha of forest land in Dharmapuri Forest Division area and 0.315 ha of forest area in Hosur Wildlife Division area for laying of underground Optical Fiber Cable along Dharmapuri to Anchetty road of Hogenakkal stretch in Dharmapuri and Krishnagiri Districts.

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

i) In the short narrative of the proposal for which forest land is required, the User Agency has stated that laying of underground optical fiber cable along Dharmapuri to Anchetty route of Hogenakkal stretch.

ii) The User Agency has reported that area required in forest area is for 0.792 ha., and non forest land required for the project reported is 'zero' ha.

iii) The User Agency has proposed the forest area diversion for the project for a period of 99 years. Legal status of the User Agency reported as 'Private'

iv) Diversion of 0.477 ha of forest has been requested in Dharmapuri Forest Division in Dharmapuri District and 0.315 ha of forest area requested in Hosur Wildlife Division area in Krishnagiri District. The User Agency has reported that forest land is required in Koothapadi-Hogenakkal village in Dharmapuri District and Natrampalayam village in Krishnagiri District.

v) Name of the forest lands reported as Pennagaram RF (0.372 ha) and Woddapatti RF (0.105 ha) in Dharmapuri Division areas and Woddapatti RF (0.105 ha) and Biligunda RF (0.21) of Hosur Wildlife Division.

vi) The User Agency has furnished the component wise breakup details of forest land as laying OFC and requirement of forest area reported as 0.792 in the above reported forest areas.

vii) 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.

viii) Note containing justification for locating the project in forest area. Has been furnished. The User Agency has stated that there is no non forest land available in the road and surrounded by forest area, hence copy of map indicating location of alternative examined is not required to be provided.

ix) The User Agency has stated that the project or part thereof is not located in any protected area or their Eco sensitive zone. This Project or part thereof is not located in a Scheduled area.

x) The User Agency has stated that, the process for settlement of Rights under the Forest Rights Act, 2006 on the forest land proposed to be diverted has been completed and uploaded the following certificates issued by the District Collectors.

a) District Collector, Dharmapuri District Ref. No. 1415/2018/z1, dated 27.01.2020 for Dharmapuri-Anchetty route via Hogenakkal, Ootamalai Anchetty road through Ootamalai RF Dharmapuri Forest Division in Dharmapuri District.

b) District Collector, Krishnagiri District Ref. No. 1954/2018/H1, dated 06.07.2019 Dharmapuri Anchetty route via Hogenakkal, Ootamalai, Anchetty road through Mulla, Ootamalai RF Hosur Forest Division in Krishnagiri District

xi) The User Agency has stated that non forest land or revenue forest land is not required to be provided by the User Agency.

The User Agency has furnished undertaking to deposit the cost of raising compensatory afforestation / Penal Compensatory Afforestation / Maintenance of Plantation / Protection of plantation for the proposed diversion of forest land as fixed by the Forest Department has been uploaded.

xii) The User Agency has uploaded following certificates/ undertakings/ details for the project in the additional information details section.

a) Area requirement statement for the project furnished by the User Agency

Sl. No.	Area details	Length in km	Width in m	Area in ha
1	Laying OFC in Pennagaram RF Dharmapuri Division	12.40	0.30	0.372
2	Laying OFC in Woddapatti RF Dharmapuri Division	3.50	0.30	0.105
	Sub total			0.477 ha
3	Laying OFC in Woddapatti RF Hosur Division	3.50	0.30	0.105
4	Laying OFC in Biligundala RF Hosur Division	7.00	0.30	0.210
	Sub total			0.315 ha
	Grand total			0.792 ha

b) District Collector certificate on non availability non-forest area for the project – District Collector Dharmapuri Roc No. 1415/2018/z1, dated 27.01.2020 and District Collector, Krishnagiri Roc 1954/2018/H1, dated 06.07.2019.

c) DGPS readings of the proposed four segments.

d) Certificates undertaking prescribed in the guidelines of the Forest Conservation Act have been uploaded by the user agency.

2) Since the project involves forest area diversion in two Forest Division areas, i.e., Dharmapuri Forest Division and Wildlife Warden, Hosur Division, details on the proposal have been uploaded in Part-II of Form-A in the web portal and furnished hard copy of the proposal.

The Wildlife Warden, Hosur Division has forwarded the proposal to the Conservator of Forests, Dharmapuri Circle on 04.01.2021 and the District Forest Officer, Dharmapuri Division has forwarded the forest clearance proposal to the Conservator of Forests, Dharmapuri Circle. Dharmapuri on 05.03.2021.

As per the time line details of the proposal, the Conservator of Forests has raised EDS query on the proposal to the Divisions on 25.03.2021, 21.10.2021, 06.12.2021, 29.12.2021. The District Forest Officer, Dharmapuri Division has resubmitted the proposal to the Conservator of Forests, Dharmapuri Circle for the EDS raised by the Conservator of Forests, Dharmapuri on 11.10.2021, 02.12.2021, 28.12.2021 and 04.01.2022.

9) Details furnished in the Part-II of Form A by the District Forest Officer, Dharmapuri Division and Wildlife Warden, Hosur Division are furnished below.

I. Dharmapuri Division areas

i) The legal status of the proposed diversion of 0.445 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, Dharmapuri Division, area of forest land involved is 0.445 ha comprising of following area. Segment I of 0.370 ha of forest area lies in Pennagaram RF (0.341 ha) and Woddapatty RF (0.029 ha) and Segment II of 0.075 ha of forest area lies in Woddapatty RF (0.075 ha).

ii) The District Forest Officer, Dharmapuri Division 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. Hence there is no felling of planted or spontaneous trees involved.

iv) On vulnerability of the forest land proposed for diversion, the District Forest Officer has reported that no heavy erosion occurs.

v) 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.

Details of wildlife present in and around the forest land proposed for diversion reported as seasonal movement of wildlife is found in summer.

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) Forest area proposed for diversion is 0.445 ha and there is no felling of trees involved.

ix) For the proposed diversion of 0.76 ha of forest area in Dharmapuri Forest Division area and Hosur Wildlife Division area, combined Compensatory Afforestation scheme has been proposed at a total cost of Rs. 32.755 lakhs for planting of 1520 number of taller seedlings in 1.52 ha of area (@ 1000 No per ha) in Masakkal RF of Pennagaram Range with maintenance of plantation over a period of 10 years including chain link fencing around the plantation to prevent biotic pressure (@ Rs. 8,73,620) and engaging protection mazdoor for three year period (@ Rs. 7,48,260). Certificate regarding suitability of compensatory afforestation land furnished.

ix) In the site inspection report and recommendation of the project, the District Forest Officer has stated that, site inspection carried out on 09.02.2021 and furnished the actual area lies in each RF and segment. This proposal is for linear project and it has been proposed along the stretches of Pennagaram-Anchetty road, which is passing through the Pennagaram RF and Woddapatty RF of Hogenakkal Range. The proposed alignment of laying OFC is lies along one side of the existing black topped road from Bevanur Check post to Hogenakkal and again from Ootamalai to Billigundu. The alignment of the proposed OFC does not involve any tree felling, there would be no disturbance to wild flora and fauna. The OFC is proposed to be laid underground along the side of the road by way of digging trench of size 0.30m width and 0.60m depth.

x) In the recommendation of the project proposal, the District Forest Officer has reported that, as the proposed alignment of laying OFC is lies along one side of the existing black topped road, the negative impact of project is very minimal. Based on the field condition, diversion of 14.80km length involving 0.445 ha for the OFC project has been recommended. The user agency agreed to fill the excavated earth immediately after laying cables. The work will be permitted after strict supervision of forest officers. Possible damage to wild flora and fauna due to this project is very low and there is no tree felling is involved. Considering the above facts and field observation, the proposal has been recommended for seeking diversion of land.

II. Hosur Wildlife Division areas

i) The legal status of the proposed diversion of 0.315 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 Wildlife Warden, Hosur Division, name of the forest land reported as "Woddapatty and Biligundulu RFs of Anchetty Range" and extent of area proposed for diversion is 0.315 ha.

ii) The Wildlife Warden 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 Wildlife Warden has reported that species wise and girth class wise enumeration of trees in the area is NIL. Hence there is no felling of planted or spontaneous trees involved.

iv) On vulnerability of the forest land proposed for diversion, the Wildlife Warden has reported that it is a linear project along the existing road side without having to change the landscape profile, hence no soil to be eroded.

v) 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.

Details of wildlife present in and around the forest land proposed for diversion reported as Elephant, Indian hare, Spotted deer, Indian guar etc., and reported that rare/ endangered / unique species of flora and fauna are 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) Forest area proposed for diversion is 0.315 ha and there is no felling of trees involved.

a) Since compensatory afforestation scheme has been proposed in the Dharmapuri Division area for the double the extent of forest area proposed for diversion in this project proposal, the Wildlife Warden, Hosur Division has not proposed any CA scheme for the project proposal.

ix) In the site inspection report, the Wildlife Warden, Hosur Division has reported that, site inspection was carried out on 22.12.2020. This proposal is for diversion under FC Act 1980 for laying underground OFC to improve communication networking 4G facility to an extent of 0.315 ha is a linear project and it is proposed along the stretches of Dharmapuri-Anchetty Hogenakkal stretch, which is passing through Woddapatty and Biligundulu RFs of Anchetty Range. The proposed alignment of the laying of OFC is along the side of the already existing black topped road from Hogenakkal to Anchetty. The OFC is proposed to be laid underground alongside of the road by way of digging trench of size 0.30m width and 0.60m depth. The alignment of the proposed OFC does not lead to any felling of trees or disturbances to the landscape and there would be no disturbance to wild animals.

x) In the specific recommendation, the Wildlife Warden, Hosur Division has stated that enabling 4G connectivity through forest will help the forest department as there are plans to erect CCTV camera at the entry and exit point of the forest roads to enable monitoring of movement of traffic through live streaming using internet connectivity. Under the above circumstances the Wildlife Warden has recommended the proposal for seeking diversion of forest land.

10) Based on the site inspection of the District Forest Officer Dharmapuri Division and Wildlife Warden, Hosur Division, forest areas diversion recommended for the project is as follows

Sl. No.	Area details	Length in km	Width in m	Area in ha
I	Dharmapuri Forest Division area			
	Segment-I			
1	Laying OFC in Pennagaram RF Dharmapuri Division	11.35	0.30	0.341
2	Laying OFC in Woddapatti RF Dharmapuri Division	0.95	0.30	0.029
	Sub total			0.370 ha
	Segment -II			
3	Laying OFC in Woddapatti RF Dharmapuri Division	2.50	0.30	0.075
	Sub total			0.075 ha
	Grand total in Dharmapuri Division area	14.80 km		0.445 ha
II	Hosur Wildlife Division area			
4	Laying OFC in District Border to Biligunda across Woddapatti RF Hosur Division	3.50	0.30	0.105
5	Laying OFC in Biligunda to Addapallam across Biligundalu RF Hosur Division	7.00	0.30	0.210
	Sub total	10.50 km		0.315 ha
	Grand total area	25.30 km		0.760 ha

3) The Conservator of Forests, Dharmapuri Circle has inspected the area on 02.11.2021 and in his recommendation has stated that, the remarks offered by the District Forest Officer, Dharmapuri Division and Wildlife Warden, Hosur are agreed and the proposal seeking diversion of forest land 0.760 ha for improving communication networking 4G facility is recommended.

4) The User Agency has requested forest area diversion for a period of 99 years. The District Forest Officer, Dharmapuri Division has not specified any time for frame for recommendation of the project. The Wildlife Warden, Hosur Division has recommended the forest area diversion for a period of 20 years. The Conservator of Forests, Dharmapuri Circle has recommended the forest area diversion for a period of 99 years.

For laying of underground Optical Fiber Cable work in the forest area, diversion of forest land are being recommended for a period of 25 years. Hence this project area forest diversion recommended for period of 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.

Since there is no tree felling is involved in this project proposal and area falls outside National Park/ Sanctuary, payment of Net Present Value of forest area has not been 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) Based on the recommendation made by the District Forest Officer, Dharmapuri Forest Division and Wildlife Warden, Hosur Division and Conservator of Forests, Dharmapuri Circle, proposal of M/s Reliance Jio Infocomm Limited Chennai for diversion of 0.76 ha of forest land in Dharmapuri Forest Division (0.445 ha) and Hosur Wildlife Division (0.315 ha) for laying of underground Optical Fiber Cable along road side of Dharmapuri Anchetty route Hogenakkal Stretch lies partially in Dharmapuri and Hosur Division areas seeking approval under Section 2 of Forest (Conservation) Act, 1980 is furnished to the Government for consideration and obtaining orders from the Government of India subject to the following conditions.

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

b) The demarcation of the proposed forest land shall be carried out by the User Agency by erecting 4 feet high cement concrete pillars duly numbered at an appropriate distance to be fixed by the concerned District Forest Officer and Wildlife Warden concerned at the cost of user agency.

c) The user agency has to pay the cost towards compensatory afforestation scheme in 1.52 ha of degraded forest area selected in Masakkal RF of Pennagaram Range in Dharmapuri Forest Division

d) The User Agency has to bear the NPV / 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.

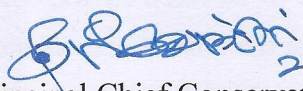
g) The total forest area utilized for the project shall not exceeds 0.76 ha for laying Optical Fibre Cable to a length of 14.80 km length in Dharmapuri Division area (0.445 ha) and 10.50 km length in Hosur Wildlife Division area (0.315 ha) with a width of 0.30 m along the road side of Dharmapuri-Anchetty route Hogenakkal Stretch.

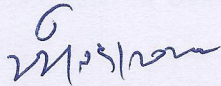
h) Period of lease can be twenty five (25) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.

8) The proposal is sent herewith duly recommended by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer, Forest (Conservation) Act, 1980. I request that the proposal may kindly be considered and forwarded to the Government of India for obtaining concurrence for diversion of 0.76 ha of forest land in Dharmapuri Forest Division (Pennagaram RF-0.341 ha and Woddapatty RF-0.104 ha) and Hosur Wildlife Division (Woddapatty RF-0.105 ha and Biligundalu RF-0.210 ha) for laying of underground Optical Fiber Cable along road side of Dharmapuri Anchetty route Hogenakkal Stretch lies partially in Dharmapuri and Hosur Division areas in favour of M/s Reliance Jio Infocomm Limited, No. 89, Radhakrishnan Salai, Mylapore, Chennai -4 for a period of 25 years.

Encl: As stated above.

Yours faithfully


22/09/2022
For Principal Chief Conservator of Forests
(Head of Forest Force)


22/09/2022

Proposal No. FP/TN/Others/30206/2017.

Proposal for diversion of 0.76 ha of forest land in Dharmapuri Forest Division and Wildlife Division, Hosur for laying of underground Optical Fiber Cable along Dharmapuri to Anchetty road of Hogenakkal stretch in Dharmapuri and Krishnagiri Districts in favour of M/s Reliance Jio Infocomm Limited, Chennai.

PART - IV

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

17	Detailed opinion and specific recommendation of the State Forest Department for acceptance of 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"
V. Karunapriya
14/9/22

3/3

Signature :

Name, Designation :

Mrs. 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 -15

Date : 14 -09-2022

Place : Chennai-15