

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. TS3/32367/2022, Dated: 24.04.2023.

Madam,

Sub: Forest (Conservation) Act, 1980 – Proposal for diversion of 0.1137 ha of forest land in Villupuram Forest Division for laying of underground Optical Fiber Cable along road side of Thiruvannamalai to Thiagadurgam road section from Pagandai koot road to Thiagadurgam through Swamimalai RF 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/36378/2018, dated 06.10.2018 and resubmission of proposal on 26.08.2022 and 23.11.2022  
2. Part-II of Form-A uploaded by the District Forest Officer, Villupuram Division on 10.03.2023  
3. Part-III of Form-A uploaded by the Conservator of Forests, Villupuram Circle on 11.03.2023

\*\*\*

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 0.1137 ha of forest land in Villupuram Forest Division for laying of underground Optical Fiber Cable along road side of Thiruvannamalai to Thiagadurgam road section from Pagandai koot road to Thiagadurgam through Swamimalai RF in Kallakuruchi District under proposal No. FP/TN/Others/36378/2018.

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 I - 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 stated that laying of underground optical fiber cable along road side



of Thiruvannamalai to Thiyaadurgam road section from Pagandai koot road to Thiyaadurgam through Swamimalai RF in Villupuram District proposed.

iii) Category of the proposal has been reported as 'Others' and shape of the forest land proposed for diversion reported as 'linear'

iv) The User Agency has reported that area required in forest area is for 0.1137 ha., and non-forest land required for the project reported is 'zero' ha.

v) The User Agency has proposed the forest area diversion for the project for a period of 30 years.

vi) Legal status of the User Agency reported as 'Private'

vii) In the section of uploading details of proposal seeking prior approval of Central Government under the Act for diversion of forest land for the project already submitted in the past reported as NIL

viii) 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.

ix) Diversion of 0.1137 ha of forest has been requested in Villupuram Forest Division in Villupuram District. The User Agency has reported the village name as Pagandai koot road (0.0942 ha) and Ponnaiyendal (0.0195 ha)

x) The User Agency has furnished the component wise breakup details of forest land for laying OFC as linear and requirement of forest area reported as 0.1137 ha.

In the additional information details section, the User Agency has uploaded the area requirement statement as follows

Laying underground OFC to a length of 3.79 km with a width of 0.30m – area required is 0.1137 ha. Name of the forest area reported as Swamimalai RF.

xi) Map of the forest land proposed to be diverted in kml file of google earth for 0.1137 ha area, scanned copy of Survey of India topo sheet marking the forest land proposed to be diverted and scanned copy of Geo referenced location details of the forest land proposed to be diverted prepared have been up-loaded.

xii) Note containing justification for locating the project in forest area has been uploaded.

xiii) The User Agency has stated that, this project is likely to generate temporary employment for 2 persons and temporary employment for 4800 persons.

xiv) The User Agency has stated that, this project does not involve displacement of people due to this project, this project does not require cost-benefit



analysis for the project and clearance under the Environment (Protection) Act, 1986 not required.

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

xvi) 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 a copy of certificate issued by the District Collector, Kallakuruchi District in Ref. No. B7/32072/2020, dated 18.07.2022.

Since the area has been lies in the newly bifurcated Kallakuruchi District, certificate has been obtained from the District Collector, Kallakuruchi and uploaded in the web portal

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

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

a) Area requirement statement as follows

Laying underground OFC to a length of 3.79 km with a width of 0.30m – area required is 0.1137 ha. in Swamimalai RF.

b) Following certificates related to this project has been uploaded.

i) Certified that there is no catchment area treatment plan in the approved plan.

ii) Certified that they have not violate any provisions of the Forest Conservation Act, 1980.

iii) Certified that laying of OFC from Thiruvannamalai to Thiagadurgam road section villages via Pagandai koot road, La. Gudalur area in Swamimalai RF in Villupuram Forest Division, Villupuram is only possible as there is no other alternate feasible route available except this.

iv) 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.

v) Undertaking for the payment of Net Present Value of the proposed diversion of forest land as per the value fixed by the Hon'ble Supreme Court of India.

vi) Undertaking to pay the cost along with any escalation for exploitation of trees if any available in the alignment path for the proposed diversion of forest land as fixed by the Forest Department.



vii) Undertaking to pay the cost towards lease rent as fixed by the Forest department at the time of sanction along with any escalation in future for the forest land to be diverted of the above project.

c) Form-A of Forest Conservation Act, 1980 forest clearance proposal old format.

d) Google earth map indicating the location of forest areas, where forest diversion has been proposed.

e) The User Agency has stated that M/s Reliance Jio Infocomm Limited have applied for diversion of forest area for laying of optical Fibre Cable along the National Highways – State Highways road.

In Government of India guidelines of Forest (Conservation) Act, 1980 in F. No. 5-3/2007-FC, dated 05.02.2009, payment of Net Present Value for underground laying of Optical Fibre Cable has been allowed, if the area does not form a National Park / Sanctuary and no felling of trees is involved.

The above area is not declared as National Park / Sanctuary. For the execution of the above work, felling of trees of any nature (planted / spontaneous) will not be done and alignment will be carried out to avoid removal of trees in the alignment path. Hence Net Present Value is not payable in the present case.

However, if subsequently any clarification / orders issued by the Central Government / Hon'ble Supreme Court of India to the contrary, we undertake to made such payment on issue of a demand note by the State Forest Department / competent authority.

f) Certificate issued by the District Collector, Kallakuruchi in Ref, No. B7/32072/2021, date 18.07.2022 about there is no alternate land other than this forest land is available for the proposed OFC laying road passing from Tiruvannamalai to Thiyaadurgam road section between Pagandai Cross road to Thiyaadurgam of Thirukoyilur Taluk in Kallakuruchi District across Swamimalai RF of Kallakuruchi District.

g) EDS query reply letter along with following undertakings.

i) Undertaking for the payment of additional amount of Net Present Value of the proposed diversion of forest land as per the value fixed by the Hon'ble Supreme Court of India in future.

ii) 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 for the proposed diversion of forest land as fixed by the Forest Department.



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 10.03.2023 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 0.1137 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 Swamimalai RF.

ii) The District Forest Officer has reported that, density of the forest area is 0.2 and Eco class of forest area is one.

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 there is no vulnerability to erosion.

v) The District Forest Officer has reported that Peacock, Spotted deer, Indian Gaur, Wild boar, Bear, etc., are 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 0.1137 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. 5,82,795/- 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 of Thiruvannamalai to Thiyagadurgam road section over a distance of 3.79 km across Swamimalai RF in Kallakuruchi District. There is no tree felling involved in this project. There is no felling of spontaneous tree species. There is no elephant corridor. Length of the OFC falls in forest area is 3.79 km and trench size is 0.30m width, thus area required for the project is 0.1137 ha.

x) The District Forest Officer, Villupuram Division has reported that, the proposal has been recommended in public interest.

3) The Conservator of Forests, Villupuram Circle in his recommendation has reported that, he has inspected the area on 03.02.2023 and in his recommendation has stated that the user agency request is genuine, hence this proposal recommended.

4) The User Agency has requested forest area diversion for a period of 30 years. The District Forest Officer, Villupuram Division and Conservator of Forests, Villupuram Circle have recommended the diversion of forest area for a period of 25 years.

As recommended by the District Forest Officer and Conservator of Forests, for laying of underground Optical Fiber Cable work in the forest area, diversion of forest land may be 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 0.1137 ha of forest land in Villupuram Forest Division for laying of underground Optical Fiber Cable along road side of Thiruvannamalai to Thiyaadurgam road section from Pagandai koot road to Thiyaadurgam through Swamimalai RF 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.

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

ii) 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.

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

iv) 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.

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

vi) 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.



vii) The total forest area utilized for the project shall not exceeds 0.1137 ha for laying Optical Fibre Cable to a length of 3.79 km with a width of 0.30 m in Swamimalai RF along the existing road side of Thiruvannamalai to Thiyaadurgam road section across Swamimalai RF in Kallakuruchi District.

viii) 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.

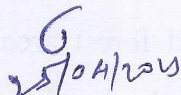
9) I request that, the proposal may be considered and forwarded to the Government of India for obtaining concurrence for diversion of 0.1137 ha of forest land in Villupuram Forest Division for laying of underground Optical Fiber Cable along road side of Thiruvannamalai to Thiyaadurgam road section from Pagandai koot road to Thiyaadurgam through Swamimalai RF 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)





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 0.1137 ha of forest land in Villupuram Forest Division for laying of underground Optical Fiber Cable along road side of Thiruvannamalai to Thiyaadurgam road section from Pagandai koot road to Thiyaadurgam through Swamimalai RF in Kallakuruchi District in favour of the M/s Reliance Jio Infocomm Limited, Chennai - Proposal No. FP/TN/Others/36378/2018

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"  
V. Karunapriya  
19/4/-

3/3

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 : 19-04-2023

Place: Chennai-32.