

Sub:- Proposal for diversion of 0.508322 ha. Forest Land under section 2 (ii) of the Forest (Conservation) Act, 1980 for laying of underground OFC duct and cable within ROW of existing road NH-548H passing through Villages Sulgaon, Dardewadi, Alyachiwadi (Gawase), & Suleran, Tal. Ajara, Dist. Kolhapur in the State of Maharashtra.

No.:- Desk-17/Nodal/Kolhapur/(29)/ID-13233/435/2022-23
Nagpur- 440 001, Dated 26/05/2022

To,
The Principal Secretary (Forests),
Revenue & Forest Department,
Mantralaya, Mumbai- 400032

Sir,

Proposal for diversion of 0.508322 ha. Forest Land under section 2 (ii) of the Forest (Conservation) Act, 1980 for laying of underground OFC duct and cable within ROW of existing road NH-548H passing through Villages Sulgaon, Dardewadi, Alyachiwadi (Gawase), & Suleran, Tal. Ajara, Dist. Kolhapur in the State of Maharashtra. The details of the forest land proposed for diversion are as under:-

	Item of work/ Purpose	Name of the Village	Comp. No.	Gut No.	Survey No.	Length x Width (in Mtr.)	Area (in Ha.)	Legal Status
1.	Laying of underground OFC duct and cable within ROW of existing road NH-548H passing through Villages Sulgaon, Dardewadi, Alyachiwadi (Gawase), & Suleran, Tal. Ajara, Dist. Kolhapur.	Sulgaon	158A	37,36, 33,32	92,93, 97,96	1251.52 x 1	0.125152	RF & PF
2.		Dardewadi	212	23	20	1268.70 x 1	0.12687	RF
3.		Alyachiwadi (Gawase)	206	57,59, 60	57,59,60	1311.30 x 1	0.13113	PF
4.		Suleran	205, 191, 192	95,96, 133,24,3, 25	95,96, 105,24,4, 25	1251.70 x 1	0.12517	RF & PF
	Total Forest Area (in ha.)						0.508322	

2.0 The project has been initiated by the Senior Manager, Telesonic Networks Limited, Nagpur for seeking approval under Forest (Conservation) Act, 1980. This proposed project will be implemented for providing network connected by OFC duct & cable to rural area far away from the developed urban area. The total non-forest area involved in the project is 0.5754 ha. The site inspection report of the Deputy Conservator of Forests, Kolhapur Forest Division, Kolhapur is enclosed in the file on page no.27 to 29. Project Note submitted by the Project Authority is enclosed in the file on page no.24 to 26.

3.0 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 in one copies.

- 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

4.0 The Deputy Conservator of Forests, Kolhapur Forest Division, Kolhapur 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-class-I and the density is above 0.4, Dense forest.
- 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, etc. The distance of project area is 21.41 km. from boundary of Wildlife Sanctuary.
- 4.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 4.6 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.
- 4.7 Proposed Compensatory Afforestation over 1.00 ha. in degraded forest land Compt. No.179, Gut No.79 of Village Kittwade, Tal.Ajara, Dist.Kolhapur and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrance.
- 4.8 No need to defray the Net Present Value for laying underground Optical Fiber Cable as per the Government of India guidelines dated 06/01/2022 as there is no felling of trees is involved in this project and the proposed area falls outside National Park/Sanctuary.

5.0 The User Agency has submitted an undertaking that:-

- 5.1 Agreed to defray the cost of Compensatory Afforestation.
- 5.2 The full exemption provided from defraying the cost of Net Present Value for laying underground Optical Fiber Cable as per the Government of India guidelines dated 06/01/2022 as there is no felling of trees is involved in this project and the proposed area falls outside National Park/Sanctuary.
- 5.3 The proposal project is for laying underground OFC duct and cable within ROW of 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. P-88
- 6.0 The copy of the permission letter for laying underground OFC duct and cable within ROW of existing Road issued by the Executive Engineer, Public Works Division, Sawantwadi to the Project Proponent is enclosed in file on page no.97.

- 7.0 The Deputy Conservator of Forests, Kolhapur Forest Division, Kolhapur and the Chief Conservator of Forests (T), Kolhapur have recommended the proposal for diversion of 0.508322 ha. of forest land.
- 8.0 The KML file C.D for the proposed diverted area and C.A area is enclosed and placed in the file at the top.
- 9.0 **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) The User Agency shall defray the cost of compensatory afforestation over 1.00 ha. in degraded forest land Compt. No.179, Gut No.79 of Village Kittwade, Tal.Ajara, Dist.Kolhapur.
 - iii) Net Present Value shall be exempted for laying of underground Optical Fiber Cable as per the Government of India guidelines dated 06/01/2022 as there is no felling of trees is involved in this 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 be done during the implementation of the project.
 - ix) No new forest area beyond the Right of Way of existing road should be broken for laying Optical Fiber Cable.
 - x) No labour camps shall be established on the forest land.
 - xi) The layout plan of the proposal shall not be changed without prior approval of the Central Government.
 - xii) All the conditions stipulated by the Forest Department shall be binding on the User Agency.
 - xiii) All other conditions as may be mandatory under relevant Act, Rules and Guidelines shall be complied with by the User Agency.
 - xiv) 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.
 - xv) The User Agency will make good the land after use/maintenance.

10.0 It is therefore, requested that the Government of Maharashtra may kindly be moved for approving the proposal for diversion of 0.508322 ha. Forest Land under section 2 (ii) of the Forest (Conservation) Act, 1980 for laying of underground OFC duct and cable within ROW of existing road NH-548H passing through Villages Sulgaon, Dardewadi, Alyachiwadi (Gawase), & Suleran, Tal. Ajara, Dist. Kolhapur in the State of Maharashtra.

Encl: (Proposal in one copy)



(Naresch Zurmure)

Addl. Principal Chief Conservator of Forests
& Nodal Officer

Copy forwarded for information to:-

1. The Chief Conservator of Forests (T.), Kolhapur.
2. The Deputy Conservator of Forests, Kolhapur Forest Division, Kolhapur.
3. The Senior Manager, Telesonic Networks Limited, Nagpur.

PART -IV

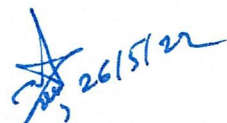
**(To be filled by Nodal Officer or Principal Chief Conservator of Forests
(Head of Forest Force))**

(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub:- Proposal for diversion of 0.508322 ha. Forest Land under section 2 (ii) of the Forest (Conservation) Act, 1980 for laying of underground OFC duct and cable within ROW of existing road NH-548H passing through Villages Sulgaon, Dardewadi, Alyachiwadi (Gawase), & Suleran, Tal. Ajara, Dist. Kolhapur in the State of Maharashtra.
The details of land proposed for diversion is as under-

	Item of work/ Purpose	Name of the Village	Comp. No.	Gut No.	Survey No.	Length x Width (in Mtr.)	Area (in Ha.)	Legal Status	
1.	Laying of underground OFC duct and cable within ROW of existing road NH-548H passing through Villages Sulgaon, Dardewadi, Alyachiwadi (Gawase), & Suleran, Tal. Ajara, Dist. Kolhapur.	Sulgaon	158A	37,36, 33,32	92,93, 97,96	1251.52 x 1	0.125152	RF & PF	
2.		Dardewadi	212	23	20	1268.70 x 1	0.12687	RF	
3.		Alyachiwadi (Gawase)	206	57,59, 60	57,59,60	1311.30 x 1	0.13113	PF	
4.		Suleran	205, 191, 192	95,96, 133,24,3, 25	95,96, 105,24,4, 25	1251.70 x 1	0.12517	RF & PF	
		Total Forest Area (in ha.)						0.508322	

Specific recommendation of Principal Chief Conservator of Forests (HoFF), M.S. Nagpur is attached on page no.



**(Naresh Zurmure)
Additional Principal Chief Conservator of Forests
& Nodal Officer**

Date: 26 /05/2022
Place: Nagpur

Proposal for diversion of 0.508322 ha. Forest Land under section 2 (ii) of the Forest (Conservation) Act, 1980 for laying of underground OFC duct and cable within ROW of existing road NH-548H passing through Villages Sulgaon, Dardewadi, Alyachiwadi (Gawase), & Suleran, Tal. Ajara, Dist. Kolhapur in the State of Maharashtra.
(FP/MH/OFC/150776/2022)

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.

Proposal for diversion of 0.508322 ha. Forest Land under section 2 (ii) of the Forest (Conservation) Act, 1980 for laying of underground OFC duct and cable within ROW of existing road NH-548H passing through Villages Sulgaon, Dardewadi, Alyachiwadi (Gawase), & Suleran, Tal. Ajara, Dist. Kolhapur in the State of Maharashtra.

2.0 The details of the forest land proposed for diversion are as under:- P-45

	Item of work/ Purpose	Name of the Village	Comp. No.	Gut No.	Survey No.	Length x Width (in Mtr.)	Area (in Ha.)	Legal Status	
1.	Laying of underground OFC duct and cable within	Sulgaon	158A	37.36, 33.32	92.93, 97.96	1251.52 x 1	0.125152	RF & PF	
2.	ROW of existing road	Dardewadi	212	23	20	1268.70 x 1	0.12687	RF	
3.	NH-548H passing through Villages	Alyachiwadi (Gawase)	206	57.59, 60	57.59.60	1311.30 x 1	0.13113	PF	
4.	Sulgaon, Dardewadi, Alyachiwadi (Gawase), & Suleran, Tal. Ajara, Dist. Kolhapur.	Suleran	205, 191, 192	95.96, 133.24, 3, 25	95.96, 105.24, 4, 25	1251.70 x 1	0.12517	RF & PF	
	Total Forest Area (in ha.)							0.508322	

3.0 The project has been initiated by the Senior Manager, Telesonic Networks Limited, Nagpur for seeking approval under Forest (Conservation) Act, 1980. This proposed project will be implemented for providing network connected by OFC duct & cable to rural area far away from the developed urban area. The total non-forest area involved in the project is 0.5754 ha. The site inspection report of the Deputy Conservator of Forests, Kolhapur Forest Division, Kolhapur is enclosed in the file on page no.27 to 29. Project Note submitted by the Project Authority is enclosed in the file on page no.24 to 26.

4.0 The Deputy Conservator of Forests, Kolhapur Forest Division, Kolhapur has certified that:-

- 4.1 No suitable alternate land is available and the forest land required is lowest minimum. P-94
- 4.2 The area belongs to Eco-class-I and the density is above 0.4, Dense forest. P- 27
- 4.3 There is no cutting and felling of trees involved in this project. P-49
- 4.4 The area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, etc. The distance of project area is 21.41 km. from boundary of Wildlife Sanctuary. P-49 & 50
- 4.5 Proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance. P-42
- 4.6 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. P-41

- 4.7 Proposed Compensatory Afforestation over 1.00 ha. in degraded forest land Compt. No.179,Gut No.79 of Village Kittwade, Tal.Ajara, Dist.Kolhapur and it is contiguous, suitable for afforestation and management purpose and it is free from encroachment and an encumbrance. P-37
- 4.8 No need to defray the Net Present Value for laying underground Optical Fiber Cable as per the Government of India guidelines dated 06/01/2022 as there is no felling of trees is involved in this project and the proposed area falls outside National Park/Sanctuary. P-45

5.0 The User Agency has submitted an undertaking that:-

- 5.1 Agreed to defray the cost of Compensatory Afforestation. P-22
- 5.2 The full exemption provided from defraying the cost of Net Present Value for laying underground Optical Fiber Cable as per the Government of India guidelines dated 06/01/2022 as there is no felling of trees is involved in this project and the proposed area falls outside National Park/Sanctuary. P-45
- 5.3 The proposal project is for laying underground OFC duct and cable within ROW of 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. P-88
- 6.0 The copy of the permission letter for laying underground OFC duct and cable within ROW of existing Road issued by the Executive Engineer, Public Works Division, Sawantwadi to the Project Proponent is enclosed in file on page no.97.
- 7.0 The Deputy Conservator of Forests, Kolhapur Forest Division, Kolhapur and the Chief Conservator of Forests (T), Kolhapur have recommended the proposal for diversion of 0.508322 ha. of forest land. P-9 to 13
- 8.0 The KML file C.D for the proposed diverted area and C.A area is enclosed and placed in the file at the top.
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- xv) 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**