

**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,  
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Sub:- Proposal for diversion of 0.4232 ha. forest land for laying  
Optical Fiber Cable of M/s Reliance Jio Infocomm Limited  
project along within ROW of existing Road of SH-337  
(Paoni to Nagpur/Bhandara Border) in Nagpur District in the  
State of Maharashtra (FP/MH/OFC/156905/2022).

No. : Desk-17/Nodal/Nagpur/I.D-14253/1606 /2022-23  
Nagpur – 440 001, Dated 27/09/2022

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

M/s Reliance Jio Infocomm Limited Nagpur has submitted proposal for diversion of 0.4232 ha. forest land for laying Optical Fiber Cable along within ROW of existing Road of SH-337 (Paoni to Nagpur/Bhandara Border) in Nagpur District in the State of Maharashtra. The details of forest land proposed for diversion is as given below: -

Sr. No.	Item	Name of the Village	Taluka	Compartment No.	Survey No.	Length x Width (in Mtr)	Area (in Ha)	Remarks
1	Laying underground	FDCM Forests Comptt. 587-RF	Ramtake	---	--	369.3754x 0.5	0.0185	Reserve Forest
2	Optical Fiber Cable	FDCM Forests Comptt. 420-RF	Ramtake	420	--	1641.4560 x 0.5	0.0821	Reserve Forest
3	of Reliance Jio	FDCM Forests Comptt. 423-RF	Ramtake	423	--	1326.5292 x 0.5	0.0663	Reserve Forest
4	Infocomm Limited	Saundani	Ramtake	--	138	104.8157 x 0.5	0.0052	Zudpi Jungle
5	project along	Saundani	Ramtake	--	141	88.2629 x 0.5	0.0044	Zudpi Jungle
6	with ROW of existing	Warghat	Ramtake	--	273	245.1558 x 0.5	0.0123	Zudpi Jungle
7	Road of SH-337	Warghat	Ramtake	--	158	36.3520 x 0.5	0.0018	Zudpi Jungle
8	(Paoni to Nagpur/	Salai (Hiwra Bazar )	Ramtake	--	222	211.8323 x 0.5	0.0106	Zudpi Jungle
9	Bhandara	Salai (Hiwra Bazar )	Ramtake	--	215	64.1972 x 0.5	0.0032	Zudpi Jungle
10	Border) in Nagpur	Reserved Forest Comptt. 437 RF	Ramtake	437	--	1979.3304 x 0.5	0.0990	Reserve Forest



11	District in the State of Maharashtra	Reserved Forest Comptt. 438 RF	Ramtake	438	--	1939.3714 x 0.5	0.0970	Reserve Forest
12	(FP/MH/OF C/156905/20)	Reserved Forest Comptt. 435 RF	Ramtake	435	--	455.2546 x 0.5	0.0228	Reserve Forest
<b>Total Forest Area (in ha.)</b>							<b>0.4232</b>	

2.00 The project has been initiated by M/s. Realiance Jio Infocomm Limited, Nagpur for seeking approval under Forest (Conservation) Act, 1980 the proposed project along with ROW of existing Road of SH-337 (Paoni to Nagpur/Bhandara Border) in Nagpur District in the State of Maharashtra. The User Agency has highlighted that as per the policy of the Government of India, it is planned to laying of cable media connectivity can be provided to further remote area in the State of Maharashtra by Reliance Jio Infocomm Ltd. An under developed town to district headquarters. Enroot village can also be connected by this project. In this regard, the User Agency has submitted the proposal for diversion 0.4232 ha forest land under the Forest (Conservation) Act, 1980. The site inspection report of the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur is enclosed file on page no 41 to 42.

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.

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, Nagpur Forest Division, Nagpur 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 below 0.2 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. But laying the proposed Optical Fiber Cable is passing in Pinch Point of EVL showing Village Pauni, Kharpada, Manegaon, Saundani and Salai in Taluka Ramtek in Wildlife Corridor between Pench Tiger Reserve Umred-Karhandla Wildlife Sanctuary and NNTR as per WII Dehradun report and Pinch Point map of Tiger Corridor of Eastern Vidarbha Landscape.

The PCCF (Wildlife) vide office note dated 8/8/2022 has offer remarks and informed that wildlife clearance is required. In this context, the user agency has submitted the copy of



online part I & II for seeking recommendation of Standing Committee of NBWL/SBWL is enclosed herewith.

- 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 within 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 the project is in ROW alongwith the State Highway, hence settlement of rights in accordance with Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is not required.
- 5.2 The copy of the NOC accorded by the Executive Engineer, Government of Maharashtra Office of the Executive Engineer, P.W.Division, Public Works Department, Nagpur Permission for laying utility dated 23/7/2018 is enclosed.
- 6.00 As per Government of India guidelines No. File No.5-3/2011-FC(Vol-I), dated 6/1/2022 mentioned in point No. (xi) laying of underground optical fiber cable- Full exemption is provided for project if -
  - a) no felling of trees is involved;
  - b) area falls outside National Park/Sanctuary.

The proposed project is passing in Pinch Point of EVL showing Village Pauni, Kharpada, Manegaon, Saundani and Salai in Taluka Ramtek in Wildlife Corridor between Pench Tiger Reserve Umred-Karhandla Wildlife Sanctuary and NNTR as per WII Dehradun report and Pinch Point map of Tiger Corridor of Eastern Vidarbha Landscape.

But, above guideline issued on 6/1/2022 is silent, on whether to charge NPV or not if the project falls in Tiger Corridors. In this regard, this office is of opinion that the NPV should be recovered from user agency.

- 7.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur and Conservator of Forest (T), Nagpur have recommended the proposal for diversion of 0.4232 ha. of forest land.



8.00 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) NPV:-
  - a) The State Government shall charge the Net Present Value (NPV) for the 0.4232 ha. forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No.566 in WP (C) No.202/1995 and as per the guidelines issued by the Ministry vide letters No.5-1/1998-FC (Pt.II), dated 18/09/2003 as well as letter No.5-2/2006-FC, dated 03/10/2006 and 5-3/2007-FC, dated 05/02/2009, dated 6/1/2022 in this regard.
  - b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
- iii) 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.
- iv) 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.
- v) 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.
- vi) The forest land shall not be used for any purpose other than specified in the proposal.



- vii) No felling of trees shall done during the implementation of project.
- viii) 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.
- 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 State Government.
- xii) All the conditions stipulated by the Forest Department shall be binding on the User Agency.
- xiii) The User Agency shall obtain permission of NBWL/SBWL before Stage-I approval.
- xiv) All other conditions as may be mandatory under relevant Act, Rules and Guidelines shall be compiled 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.

9.00 In view of para no. 8 above, it is requested that the Government of Maharashtra may kindly accord general approval for diversion of forest land 0.4232 in favour of M/s Reliance Jio Infocomm Ltd. for laying Optical Fiber Cable along within ROW of existing Road of SH-337 (Paoni to Nagpur/Bhandara Border) in Nagpur District in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encl. :- Proposal 1 Copy

 27/7/22

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

**Copy to the Chief Conservator of Forests (Territorial) Nagpur for information.**

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

**Copy to the M/s. Reliance Jio Infocomm Ltd. 3<sup>rd</sup> Floor, FIDVI Tower, Opp. Saraf Chember, Mount Road, Sadar, Nagpur for information**



**PART -IV**

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

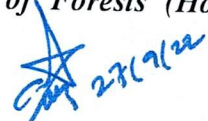
(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub:- Proposal for diversion of 0.4232 ha. forest land for laying Optical Fiber Cable of M/s Reliance Jio Infocomm Limited project along within ROW of existing Road of SH-337 (Paoni to Nagpur/Bhandara Border) in Nagpur District in the State of Maharashtra (FP/MH/OFC/156905/2022).

The details of land proposed for diversion is as under-

Sr. No.	Item	Name of the Village	Taluka	Compartment No.	Survey No.	Length x Width (in Mtr)	Area (in Ha)	Remarks
1	Laying underground Optical Fiber Cable of Reliance Jio Infocomm Limited project along with ROW of existing Road of SH-337 (Paoni to Nagpur/ Nagpur/ Bhandara Border) in Nagpur District in the State of Maharashtra (FP/MH/OFC/ 156905/2022).	FDCM Forests Comptt. 587-RF	Ramtake	---	--	369.3754x 0.5	0.0185	Reserve Forest
2		FDCM Forests Comptt. 420-RF	Ramtake	420	--	1641.4560 x 0.5	0.0821	Reserve Forest
3		FDCM Forests Comptt. 423-RF	Ramtake	423	--	1326.5292 x 0.5	0.0663	Reserve Forest
4		Saundani	Ramtake	--	138	104.8157 x 0.5	0.0052	Zudpi Jungle
5		Saundani	Ramtake	--	141	88.2629 x 0.5	0.0044	Zudpi Jungle
6		Warghat	Ramtake	--	273	245.1558 x 0.5	0.0123	Zudpi Jungle
7		Warghat	Ramtake	--	158	36.3520 x 0.5	0.0018	Zudpi Jungle
8		Salai (Hiwra Bazar )	Ramtake	--	222	211.8323 x 0.5	0.0106	Zudpi Jungle
9		Salai (Hiwra Bazar )	Ramtake	--	215	64.1972 x 0.5	0.0032	Zudpi Jungle
10		Reserved Forest Comptt. 437 RF	Ramtake	437	--	1979.3304 x 0.5	0.0990	Reserve Forest
11		Reserved Forest Comptt. 438 RF	Ramtake	438	--	1939.3714 x 0.5	0.0970	Reserve Forest
12		Reserved Forest Comptt. 435 RF	Ramtake	435	--	455.2546 x 0.5	0.0228	Reserve Forest
Total Forest Area (in ha.)							0.4232	

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

 27/9/22

Date: 27/9/2022  
Place: Nagpur

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



**Proposal for diversion of 0.4232 ha. forest land for laying underground Optical Fiber Cable of M/s Reliance Jio Infocomm Limited project along within ROW of existing Road of SH-337 (Paoni to Nagpur/Bhandara Border) in Nagpur District in the State of Maharashtra (FP/MH/OFC/156905/2022).**

**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.**

The proposal is for diversion of 0.4232 ha. forest land for laying underground Optical Fiber Cable of M/s Reliance Jio Infocomm Limited project along within ROW of existing Road of SH-337 (Paoni to Nagpur/Bhandara Border) in Nagpur District in the State of Maharashtra (FP/MH/OFC/156905/2022).

1.00 The details of the forest land proposed for diversion are as under:-

Sr. No.	Item	Name of the Village	Taluka	Compartment No.	Survey No.	Length x Width (in Mtr)	Area (in Ha)	Remarks
1	Laying underground	FDCM Forests Comptt. 587-RF	Ramtake	---	--	369.3754x 0.5	0.0185	Reserve Forest
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11	the State of Maharashtra	Reserved Forest Comptt. 438 RF	Ramtake	438	--	1939.3714 x 0.5	0.0970	Reserve Forest
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Total Forest Area (in ha.)							0.4232	



2.00 The project has been initiated by M/s. Reliance Jio Infocomm Limited, Nagpur for seeking approval under Forest (Conservation) Act, 1980 the proposed project along with ROW of existing Road of SH-337 (Paoni to Nagpur/Bhandara Border) in Nagpur District in the State of Maharashtra. The User Agency has highlighted that as per the policy of the Government of India, it is planned to laying of cable media connectivity can be provided to further remote area in the State of Maharashtra by Reliance Jio Infocomm Ltd. An under developed town to district headquarters. Enroot village can also be connected by this project. In this regard, the User Agency has submitted the proposal for diversion 0.4232 ha forest land under the Forest (Conservation) Act, 1980. The site inspection report of the Deputy Conservator of Forests, Nagpur Forest Division, Nagpur is enclosed file on page no 41 to 42.

**3.00 The Deputy Conservator of Forests, Nagpur Forest Division, Nagpur has certified that:-**

- 3.1 no suitable alternate land is available and the forest land required is lowest minimum.
- 3.2 the area belongs to Eco-value class-III and having density is below 0.2 comes under Southern Tropical Dry Deciduous Forests.
- 3.3 there is no cutting and felling of trees involved in this project
- 3.4 the area involved in the project does not form part of any existing National Park, Wildlife Sanctuary, Nature Reserve etc. But laying the proposed Optical Fiber Cable is passing in Pinch Point of EVL showing Village Pauni, Kharpada, Manegaon, Saundani and Salai in Taluka Ramtek in Wildlife Corridor between Pench Tiger Reserve Umred-Karhandla Wildlife Sanctuary and NNTR as per WII Dehradun report and Pinch Point map of Tiger Corridor of Eastern Vidarbha Landscape.

The PCCF (Wildlife) vide office note dated 8/8/2022 has offer remarks and informed that wildlife clearance is required. In this context, the user agency has submitted the copy of online part I & II for seeking recommendation of Standing Committee of NBWL/SBWL is enclosed herewith.

- 3.5 proposed project is not likely to affect any monumental site of cultural, historical, religious, archeological or recreational importance.
- 3.6 there is no violation of Forest (Conservation) Act 1980.
- 3.7 the proposed area for the project is within 10 kms from the boundary of the protected area (Sanctuary and National Park).



3.8 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.

4.00 **The User Agency has submitted an undertaking that:-**

4.1 the project is in ROW alongwith the State Highway, hence settlement of rights in accordance with Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 is not required.

4.2 The copy of the NOC accorded by the Executive Engineer, Government of Maharashtra Office of the Executive Engineer, P.W.Division, Public Works Department, Nagpur Permission for laying utility dated 23/7/2018 is enclosed on page no.52.

5.00 As per Government of India guidelines No. File No.5-3/2011-FC(Vol-I), dated 6/1/2022 mentioned in point No. (xi) laying of underground optical fiber cable- Full exemption is provided for project if -

- a) no felling of trees is involved;
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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: -

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- 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) NPV:-
  - a) The State Government shall charge the Net Present Value (NPV) for the 0.4232 ha. forest area to be diverted under this proposal from the User Agency as per the orders of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No.566 in WP (C) No.202/1995 and as per the guidelines issued by the Ministry vide letters No.5-1/1998-FC (Pt.II), dated 18/09/2003 as well as letter No.5-2/2006-FC, dated 03/10/2006 and 5-3/2007-FC, dated 05/02/2009, dated 6/1/2022 in this regard.
  - b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
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- v) 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.
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- viii) 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.
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- x) No labour camps shall be established on the forest land.
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- xiii) The User Agency shall obtain permission of NBWL/SBWL before Stage-I approval.
- 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**