



**Office of the Principal Chief Conservator of Forests (Head of Forests Force),
Maharashtra State**

Additional Principal Chief Conservator of Forests & Nodal Officer,

1st Floor, B Wing,

VanBhavan, Ramgiri Road, Civil Lines, Nagpur- 440 001

Tel.No.: 0712- 2556916 , E-mail: apccfnodal@mahaforest.gov.in

Sub:- Proposal for diversion of 0.28 ha. Reserved Forest Land under section 2 (ii) of the Forest (Conservation) Act, 1980 for laying of underground OFC duct and cable within RoW of existing Kharsundi-Balwadi Road at Village Kharsundi, Tal. Atpadi & Village Balwadi, Tal. Khanapur, Dist. Sangli in the State of Maharashtra.

No. :- Desk-17/Nodal/Kolhapur/ID-13286/(30)/ 1619 /2022-23
Nagpur- 440 001, Dated 27/09/2022

To,

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

Sir,

Proposal is for diversion of 0.28 ha. Reserved Forest Land under section 2 (ii) of the Forest (Conservation) Act, 1980 for laying of underground OFC duct and cable within RoW of existing Kharsundi-Balwadi Road at Village Kharsundi, Tal. Atpadi & Village Balwadi, Tal. Khanapur, Dist. Sangli in the State of Maharashtra. The details of the forest land proposed for diversion are as under:- (PPN-37)

Sr. No.	Item of work/ Purpose	Name of the Village	Tal.	Compt. No.	Survey No.	Length x Width (in Mtr.)	Area (in Ha.)	Legal Status
1.	For laying of underground OFC duct and cable within RoW of existing Kharsundi-Balwadi Road	Kharsundi	Atpadi	197	179	1100 x 1	0.11	Reserved Forest
2.		Balwadi	Khanapur	196	263	1700 x 1	0.17	
	Total Forest Area (in ha.)						0.28	

2.0 The project has been initiated by the Senior Manager, Telesonic Networks Limited, Pune 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 6.67 ha. (PPN-37) The site inspection report of the Deputy Conservator of Forests, Sangli Forest Division, Sangli is enclosed in the file on page no.28 to 30. Project Note submitted by the Project Authority is enclosed in the file on page no.31 to 33. The Project Authority has submitted a justification for locating the project in the forest area on pages no.35 & 36.

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, Sangli Forest Division, Sangli has certified that:-

4.1 No suitable alternate land is available and the forest land required is lowest minimum. (PPN-42)

4.2 The area belongs to Eco-class-III and the density is below 0.4 (PPN-28)

4.3 There is no cutting and felling of trees involved in this project. (PPN-57)

4.4 The proposed area is not included in the Wildlife Sanctuary, Tiger Reserve. (PPN-51)

4.5 The distance of the Project area is beyond 10 km of the boundary of the Wildlife Sanctuary. (Protected area and National Park) (PPN-58)

4.6 The proposed area comes outside 10 Km from Protected area. (PPN-82)

4.7 The project will not have any adverse effect on the Wildlife within the National park/ Sanctuary. (PPN-52)

4.8 The proposed project is the laying of an underground OFC duct and cable within RoW of the existing Kharsundi-Balwadi Road. Hence there is no need to examine the three alternatives for this project. (PPN-64)

4.9 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. (PPN-49)

4.10 CA may not be levied in case of laying of underground Optical Fiber Cables (OFC) within the RoW of the existing roads (trench size not more than two meters in depth and one meter in width) not falling in National Parks and Wildlife Sanctuaries without felling of trees as per the Government of India, Ministry of Environment & Climate Change (Forest Conservation Division), New Delhi letter dated 27/07/2020 of File No.FC-11/165/2019-FC. The said proposal fulfilled the conditions mentioned in the above letter therefore CA may not be levied in case. (PPN-46)

4.11 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 involved in this project and the proposed area falls outside National Park/Sanctuary area. (PPN-54)

4.11 No Violation of Forest Conservation Act, 1980 or its guidelines have been committed. (PPN-45)

5.0 The User Agency has submitted an undertaking/certificate/document:-

- 5.1 Cost of Compensatory Afforestation may not be levied in this proposal as this proposal fulfills conditions given in the Central Government guideline dated 27/07/2020. (PPN-43)
- 5.2 The full exemption from defraying the cost of Net Present Value as this proposal fulfills conditions given in the Central Government guideline dated 06/01/2022. (PPN-53)
- 5.3 The proposed project is not likely to affect any monument site of culture, historical, religious, archaeological, or recreational importance. (PPN-68)
- 5.4 The copy of the permission letter for laying Network issued by the Executive Engineer, PW Division (West), Sangli to the Project Authority is enclosed in file on page no.86.
- 6.0 The Deputy Conservator of Forests, Sangli Forest Division, Sangli and the Chief Conservator of Forests (T), Kolhapur have recommended the said proposal for diversion of 0.28 ha. Reserved Forest Land. (PPN-19 to 25)
- 7.0 The KML file in the C.D shows the area to be diverted, which has been placed at the top of the proposal file.

8.0 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:-

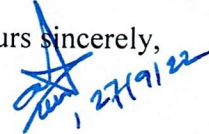
- i) The legal status of the land shall remain unchanged.
- ii) CA may not be levied in case of laying of underground Optical Fiber Cables (OFC) within the RoW of the existing roads (trench size not more than two meters in depth and one meter in width) not falling in National Parks and Wildlife Sanctuaries without felling of trees as per the Government of India, Ministry of Environment & Climate Change (Forest Conservation Division), New Delhi letter dated 27/07/2020 of File No.FC-11/165/2019-FC. The said proposal fulfilled the conditions mentioned in the above letter therefore CA may not be levied in case.
- 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 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 meters depth & 1.0 meter 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 meter. Similarly for reclamation of side drain and for tarred portion, the guarantee will be at the rate of Rs. 300/- per meter and Rs.750/- per meter 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.

- vii) For further maintenance of the project, the agency shall obtain permission from the concerned Deputy Conservator of the Forests as and when required.
- viii) The forest land shall not be used for any purpose other than specified in the proposal.
- ix) No felling of trees shall be done during the implementation of the project.
- x) No new forest area beyond the Right of Way of existing road should be broken for laying Optical Fiber Cable.
- xi) No labour camps shall be established on the forest land.
- xii) After completion of the project, User Agency will reclaim the area under the Right of Way suitably.
- xiii) The layout plan of the proposal shall not be changed without prior approval of the State Government.
- xiv) All the conditions stipulated by the Forest Department shall be binding on the User Agency.
- xv) All other conditions as may be mandatory under relevant Act, Rules and Guidelines shall be complied with by the User Agency.

10.0 It is therefore, the Government of Maharashtra is being requested for approving the proposal for diversion of 0.28 ha. Reserved Forest Land under section 2 (ii) of the Forest (Conservation) Act, 1980 for laying of underground OFC duct and cable within RoW of existing Kharsundi-Balwadi Road at Village Kharsundi, Tal. Atpadi & Village Balwadi, Tal. Khanapur, Dist. Sangli in the State of Maharashtra.

Encl: (Proposal in one copy)

Yours sincerely,

 27/9/22

(Naresh 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, Sangli Forest Division, Sangli.
3. The Senior Manager, Telesonic Networks Limited, Pune.
(E-mail address: anujkumar3@stl.tech)

PART -IV

(To be filled by the Nodal Officer or the 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 0.28 ha. Reserved Forest Land under section 2 (ii) of the Forest (Conservation) Act, 1980 for laying of underground OFC duct and cable within RoW of existing Kharsundi-Balwadi Road at Village Kharsundi, Tal. Atpadi & Village Balwadi, Tal. Khanapur, Dist. Sangli in the State of Maharashtra. The details of forest land proposed for diversion are as under-

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Specific recommendation of the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur is attached on page no.

 27/9/22

(Naresh Zurmure)

Additional Principal Chief Conservator of Forests
& Nodal Officer

Date: 27 / 09 / 2022

Place: Nagpur

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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 0.28 ha. Reserved Forest Land under section 2 (ii) of the Forest (Conservation) Act, 1980 for laying of underground OFC duct and cable within RoW of existing Kharsundi-Balwadi Road at Village Kharsundi, Tal. Atpadi & Village Balwadi, Tal. Khanapur, Dist. Sangli in the State of Maharashtra.

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(Dr. Y.L.P. Rao)

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