



**Reliance Jio**  
Infocomm Limited

Ref:-RJIL/ OFC/ ROW/ NLD/DFOKLMP/01

Date: 21<sup>st</sup> June 2022

To,  
The Divisional Forest Officer,  
Kalimpong Forest Division,  
Kalimpong

Sub.: Unauthorised erection of tubular steel poles and slinging of aerial cable on them

Reference: Your letter number 1250/9-41 dated 05.05.2022 & 1670/9-41 dated 14.06.2022

Sir,

With reference to aforesaid letters, this is to bring to your kind notice that as per the circular of Ministry of Environment, Forest and Climate Change vide memo number FC-11/50/2020-FC dated 26<sup>th</sup> Oct 2021 on the subject : Clarification on applicability of Forest (Conservation) Act 1980 over ROW of Roads – regarding (attached herewith for your reference) where is clearly mentioned that applicability of Forest Conservation Act 1980 in response of the land within the ROW, ownership of which rests with the NHAI or State Government. The matter with regard to the applicability of the Act in such lands was examined and after due deliberation following is clarified:

“if the ownership of land vests with MORT&H/NHAI/State Road constructing agency, it is not a “forest” as per Government records and the same land is under “non-forest use” before 25<sup>th</sup> October 1980, then provisions of Forest (Conservation) Act 1980 would not apply”.

In this context further to inform that the road from Khunia to Jhaldhaka was constructed well before the introduction of Forest Conservation Act 25<sup>th</sup> Oct 1980 by the PWD of Government of West Bengal. Photographs which you have sent along with your letter clearly shows that the poles are erected within the ROW close to the edge of existing road so, as per the circular of Ministry of Environment, Forest and Climate change vide memo number FC-11/50/2020-FC dated 26<sup>th</sup> Oct 2021, in this case provision of FRA 1980 would not apply.

This road was under the administrative control of Executive Engineer, Gorubathan Engineering Division, GTA. We have obtained permission for execution of Pole erection work & OFC Laying from Kumani Village to Today Bazar with total length of 23.3 Kms vide letter number 102/EE/GED/GTA dated 02.12.2019 on payment of license fee against Demand Note number 83/EE/GED/GTA/04.12.2018 dated 04.12.2018.

So, I hope you will be satisfied enough that we have not done any unauthorised erection of pole along the said road.

Submitted for your kind information please.

Warm Regards,  
For Reliance Jio Infocomm Limited,

Ashish Dasgupta  
(Authorised Signatory)



Copy forwarded for information: 1. Nodal officer FCA, West Bengal  
2. CCF, Hill Circle, Darjeeling.

Enclosed: - 1. Circular of Ministry of Environment, Forest and Climate change vide memo number FC-11/50/2020-FC dated 26<sup>th</sup> Oct 2021  
2. Prayer to Executive Engineer, Kalimpong Engineering Division, GTA dated 22.05.2018 for seeking permission.  
3. Demand Note issued by Executive Engineer, Kalimpong Engineering Division dated 04.12.2018  
4. NOC issued by Executive Engineer Gorubathan Engineering Division dated 02.12.2019.