

Ref: RJIL/ SCO/ EDS/2023/05

Date: 10/07/2023

To,
The Divisional Forest Officer
Jalpaiguri Forest Division
Jalpaiguri, West Bengal

Subject: Clarification on the EDS raised against Proposal for installation of Mobile Tower at Hillajhora Compartment under Jalpaiguri Division

Proposal ID: FP/WB/Others/145923/2021

Sir,

In respect to the query raised by DFO Jalpaiguri dated 8th June 2023 related to installation of Mobile Tower at Hillajhora Compartment against our reply made on 17th June 23 quoting the reference of the circular issued by MoEFCC vide reference no: **FC-11/118/2021-FC dated 13th June 2023** which has not been accepted on the pretext that "The Reply given is not satisfactory and does not address the Query raised by IRO i.e CA needs to proposed over equivalent non-forest land."

Further to inform you that, we have received **In-principal(Stage-I)** approval against similar proposal no **FP/WB/OTHERS/418192/2023** for installation of tower at Kankibong Block, Compartment-1 under Darjeeling Division vide IRO Kolkata letter no **FP/WB/Others/418192/2022/226** dated 26th June 2023 with the conditions as mentioned in Condition 2 that " The User Agency shall transfer the cost of raising and maintain the compensatory afforestation (100 tree plantation and maintenance for 10 years) at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal".

That proposal submitted in Parivesh Portal prior to the introduction of mentioned circular dated 13th June 23.

The Nodal Officer (FCA), WB vide letter no 3198/L</2M-94/2023 dated 5th July 23 also endorsed & issue directive to DFO Darjeeling for providing Demand Note on the basis of "Payment of Net Present Value(NPV). Cost of raising & maintenance of Compensatory Afforestation (100 trees plantation and maintenance for 10 years and compliance of conditions as directed of the instant approval" copy of which is attached herewith.

So, it is not understood why this proposal will not be considered as per the MoEF Circular dated 13th June 23. So we are requesting you to accept the reply of the EDS on the light of the MoEF Circular.

Thanks & Regards.

For Reliance Jio Infocomm Limited

RELiance JIO INFOCOMM.LTD

AUTHORISED SIGNATORY

(Ashish Dasgupta)

Copy Forwarded To:

1. Nodal Officer (FCA), West Bengal.

Government of West Bengal

Directorate of Forests

Office of the Principal Chief Conservator of Forests, Head of Forest Force

Aranya Bhawan, Block: LA-10A, Salt Lake City, Sector – III, Kolkata:: 700 106

Phone - Fax:: (033) 2335 8581/7751, e-mail : nfcawb@gmail.com

Visit us at: www.westbengalforest.gov.in

No- 3198 /L & LT/2M-94/2023

Dated: 05 .07.2023

To: The Divisional Forest Officer,
Darjeeling Forest Division.

Sub: In-principle (Stage-I) approval of Central Government under Forest (Conservation) Act 1980 for diversion of 0.0144 ha of forest land in favour of Reliance Jio Infocom for installation of 4G Mobile Tower at Kankibong Block, Compartment-1, under Dhotrey range under Darjeeling Forest Division of West Bengal (Proposal No. FP/WB/Others/418192/2022) - regd.


Ref: Integrated Regional Office, MoEF & CC, Kolkata File No. IRO/KOL/WB/Others/418192 /2022/226 dated 26th June, 2023.

The Integrated Regional Office, MoEF & CC, Kolkata vide File No. IRO/KOL/WB/Others/418192 /2022/226 dated 26th June, 2023 accorded Stage-I/In-principle approval for diversion of 0.0144 ha of forest land in favour of Reliance Jio Infocom for installation of 4G Mobile Tower at Kankibong Block, Compartment-1, under Dhotrey range under Darjeeling Forest Division of West Bengal, subject to conditions and stipulations.

It is therefore requested that Demand Note may be raised with the ROW LEAD, JIO Digital Fiber Private Limited, Tower-II, 18th Floor, Godrej Water Side Building, Sec-V, Salt Lake, Kolkata for payment of Net Present Value (NPV), cost of raising & maintenance of Compensatory Afforestation (100 trees plantation and maintenance for 10 years) and compliance of conditions as directed of the instant approval. The User Agency should be informed that the payment of NPV and other levies should be made online only through Ministry's website <https://parivesh.nic.in/> as already indicated in the aforesaid conditions. No other mode payment shall be accepted. You are also requested to raise demand note for boundary demarcation of instant approval of your CCF, the payment should be paid on WBSDFA account.

It is further requested to strictly comply with conditions as directed of the instant approval and submit compliance report in due course and upload the same on Parivesh Portal.

Encl.: As stated.


Addl. Principal Chief Conservator of Forests &
Nodal Officer, Forest Conservation Act.

No- 3199 /L & LT/2M-94/2023

Dated: 05 .07.2023

Copy forwarded for information and necessary action to:

1. The Chief Conservator of Forests, Hill Circle, West Bengal.
2. The ROW LEAD, JIO Digital Fiber Private Limited, Tower-II, 18th Floor, Godrej Water Side Building, Sec-V, Salt Lake, Kolkata, Pin – 700091.


Addl. Principal Chief Conservator of Forests &
Nodal Officer, Forest Conservation Act



भारत सरकार/Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय, कोलकाता/ Integrated Regional Office, Kolkata
IB-198, Sector - III, Salt Lake City, Kolkata-700106
Phone: 033-2335-0902, E-mail: iro.kolkata-mefcc@gov.in



File No.FP/WB/Others/418192/2022/226

Date: 26th June 2023

To,

The Addl. Chief Secretary,
Department of Forests,
Government of West Bengal,
Aranya Bhawan, Block-LA, 10-A, Sector - III,
Salt Lake City, Kolkata - 700106.

Sub: In-principle (Stage-I) approval of Central Government under Forest (Conservation) Act 1980 for diversion of 0.0144 ha of forest land in favour of Reliance Jio Infocom for installation of 4G Mobile Tower at Kankibong Block, Compartment-1 under Dhotrey Range under Darjeeling Forest Division of West Bengal - reg.

Sir,

This refers to letter No. FR/O/L/10T-16/23 dated 25.05.2023 of the State Government, West Bengal on the above-mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest (Conservation) Act, 1980.

After due consideration of the proposal of the State Government, the Ministry of Environment, Forest & Climate Change hereby conveys '**Stage-I/in-principle**' approval for diversion of 0.0144 ha of forest land in favour of Reliance Jio Infocom for installation of 4G Mobile Tower at Kankibong Block, Compartment-1 under Dhotrey Range under Darjeeling Forest Division of West Bengal subject to the following conditions and stipulations:

1. Legal status of forest land proposed for diversion shall remain unchanged.
2. The user agency shall transfer the cost of raising and maintain the compensatory afforestation (100 trees plantation and maintenance for 10 years) at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal.
3. The State Forest Department shall plant 100 trees to maintain the green cover at the project cost. Planting site for the purpose shall be identified by the State Forest Department preferably in the vicinity of

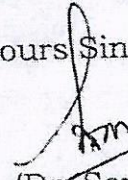
the project site. Indigenous tree species should be preferred for such plantation.

4. The State Government shall charge the Net Present Value (NPV) for the 0.0144 ha forest area to be diverted under this proposal from the User Agency as per the order 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 letter No. 5-1/1998-FC(Pt.II) dated 8/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006, 5-3/2007-FC dated 05/02/2009 and **5-3/2011-FC(vol-I) dated 19/01/2022** in this regard.
5. 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 also be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.
6. All the funds received from the user agency under the project shall be transferred / deposited to CAMPA fund only through **e-portal** (<https://parivesh.nic.in>).
7. The FRA certificate as per Ministry's guidelines shall be submitted before the issuance of final approval. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
8. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
9. Wherever possible and technically feasible, the User Agency shall undertake appropriate afforestation or vegetation enrichment measures near the site(s) related to the area diverted under this approval, in consultation with the State Forest Department at the project cost.
10. The lay out plan of the proposal shall not be changed without prior approval of the Central Government.
11. (a) The User Agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.
(b) Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency.

- (c) No labour camp shall be established on the forest land.
- (d) The User Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
12. (a) The forest land shall not be used for any purpose other than that specified in the Project proposal.
- (b) The period of diversion under this approval shall be co-terminus with the period of the temporary use of the land.
- (c) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.
13. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of Comprehensive Guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019.
14. Any other conditions that the Ministry of Environment, Forest & Climate change may stipulate from time to time in the interest of conservation, protection and development of forest and wildlife.
15. The compliance report shall be uploaded on *e-portal* (<https://parivesh.nic.in>).

After receipt of the compliance report from the State Government regarding due compliance and fulfillment of the above conditions as stipulations, formal approval will be issued in this regard under Section 2 of Forest (Conservation) Act, 1980. **Transfer of forest land by the State Government to the user agency should not be given effect to till formal order approving diversion of forest land is issued by the Central Government.**

Yours Sincerely,

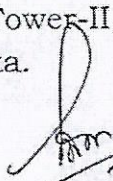

(Dr. Soma Das)

Inspector General of Forests (C)

Copy to:-

1. The IGF(ROHQ), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi - 110 003.
2. The Principle Chief Conservator of Forest & HoFF, Department of Forests, Government of West Bengal, Aranya Bhawan, Salt Lake City, Kolkata, 700098.

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3. The PCCF cum Nodal Officer (FCA), Department of Forest, Department of Forests, Government of West Bengal, Aranya Bhawan, Salt Lake City, Kolkata, 700098.
 4. The Divisional Forest Officer, Darjeeling Forest Division, West Bengal.
 5. The ROW LEAD, JIO Digital Fibre Private Limited, Tower-II, 18th Floor, Goodrej Water Side Building, Sec-V, Salt Lake, Kolkata.
 6. Guard file.


26-6-23
Inspector General of Forests (C)