

By e-mail



ENVIRONMENT, CLIMATE CHANGE
& FOREST(FR.10) DEPARTMENT,
SECRETARIAT, CHENNAI 9.

Letter No.1273/FR.10/2023-1, dated 03.04.2023

From
Tmt.Supriya Sahu, IAS.,
Additional Chief Secretary to Government.

To

✓ The Assistant Inspector General of Forests (Central),
Government of India, Ministry of Environment,
Forest and Climate Change,
Integrated Regional Office,
1st Floor, Additional Office Block for GPOA,
Shastri Bhawan, Haddows Road,
Nungambakkam, Chennai-600 006. (w.e).

Sir,

Sub: Forests - Forest (Conservation) Act, 1980 – Trichy Circle /
Pudukkottai Division - Proposal (FP/TN/OFC/118876/2021) for
diversion of 0.0069 ha. of forest land for laying underground Optical
Fiber Cable (OFC) in Vaiyampatti to Konnaiyur route through forest
areas of Ammankuruchi Reserved Forest to a distance of 228.60m
for providing 4G wireless Broadband in Pudukkottai District in
favour of the Jio Digital Fibre Private Limited, Chennai – Regarding.

Ref: From the Principal Chief Conservator of Forest (Head of Forest
Force), Letter No.TS4/1044/2021, dated 24.02.2023.

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I am directed to enclose a copy of the reference cited and to state that, the Principal Chief Conservator of Forests (Head of Forest Force) in his letter cited has stated that, the Jio Digital Fibre Private Ltd., Chennai has uploaded online forest area diversion proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.0069 ha. of forest land for laying underground Optical Fiber Cable (OFC) in Vaiyampatti to Konnaiyur route through forest areas of Ammankuruchi Reserved Forest to a distance of 228.60m for providing 4G wireless Broadband in Pudukkottai District in favour of the Jio Digital Fibre Private Limited, Chennai.

2. In the Part-II of Form-A, the District Forest Officer, Pudukkottai has furnished the following particulars :-

- (i) Area to be diverted for the above proposal is 0.0069ha forest land in Ammankuruchi Reserved Forest to a density of zero and type of forest is Eco class-4.
- (ii) No spontaneous or planted tree growth is available in the proposed forest area.
- (iii) The details of wildlife present in and around the forest land proposed for diversion is Spotted deer, Peacock, python, monkey and hare.
- (iv) The proposed area does not forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, Wildlife Migration Corridor.

- (v) The proposed area is not located within Eco Sensitive Zone of the protected area notified under Wildlife (Protection) Act 1972.
- (vi) The forest land proposed for diversion is not located within 1km from the boundary of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, and Wildlife Migration Corridor.
- (vii) No rare / endangered / unique species of Flora and Fauna found in the proposed area.
- (viii) No protected archeological / heritage site / defense establishment or any other important monument is located in the area.
- (ix) No work in violation of the Act or guidelines issued under the act.
- (x) No Compensatory Afforestation has been proposed as no felling of trees involved in this project.

3. In the site inspection report, the District Forest Officer, Pudukkottai has inspected the proposed project site in Ammankuruchi Reserved Forest on 15.12.2022 has furnished the following particulars :-

- a) The length of the Optical Fiber Cable to be laid is 228.6m to a width of 0.30m to a depth of 1 to 2m and the area proposed is 0.0069ha.
- b) The cable will be laid on the right side of the road from Vaiyampatty to Konnaiyur across Ammankuruchi Reserved Forest.
- c) The user agency has informed that no trees or vegetation will be felled or disturbed during the execution of the project.
- d) About machinery to be used for excavation and its impact, the user agency has informed that earthmover will be used without disturbing the vegetation and the excavated earth will be dumped on the road side and not on the forest side.
- e) The project is important for better connectivity of 4G net work to all the public for communication.
- f) The user agency has informed that the excavation will be immediately closed after laying the underground Optical Fiber Cable without affecting the migratory wildlife.

4. In the recommendation of the project proposal, the District Forest Officer has stated that since the work is essential for improvement of better communication infrastructure (4G network) to all the people and the project does not involve felling of trees and other vegetation and it is recommended.

5. In the site inspection report, the Chief Conservator of Forests, Trichy has furnished the following particulars :-

- (i) The proposed area for diversion of 0.0069ha in Ammankuruchi Reserved Forest in Pudukkottai District has been inspected along with District Forest Officer, Pudukkottai on 29.12.2022.
- (ii) The project is important for better connectivity of 4G net work to all the public for communication.
- (iii) The user agency has informed that no trees or vegetation will be felled or disturbed during the execution of the project.

- (iv) The user agency has informed that the excavation will be immediately closed after laying the underground Optical Fiber Cable without affecting the migratory wildlife.
- (v) There is no alternate land is available.

6. In Part-III recommendation, the Chief Conservator of Forests, Trichy has stated that the proposal for diversion of 0.0069 ha. of forest land for laying of underground Optical Fiber Cable along Vaiyampatti to Konnaiyur road across Ammankuruchi Reserved Forest for providing 4G wireless broadband at Pudukkottai Division is recommended, since no alternative land is available.

7. The Principal Chief Conservator of Forests (Head of Forest Force) has further stated that the Government of India Guidelines of Forest (Conservation) Act, 1980 in F.No.5-3/2007-FC, dated 05.02.2009, exemption for payment of Net Present Value for underground laying of Optical Fibre Cable has been allowed, if the area does not form a part of National Park / Sanctuary and no felling of trees is involved. This project area is not declared as National Park / Sanctuary and no felling of trees involved in this project. Hence payment of Net Present Value for the forest area diversion of laying Optical Fiber Cable may not be insisted.

8. The Principal Chief Conservator of Forests (Head of Forest Force) further stated that, the proposal is sent duly recommended in the part IV of Form A by the Additional Principal Chief Conservator of Forests (Forest Conservation Act) / Nodal Officer, Forest (Conservation) Act, 1980 of the State of Tamil Nadu.

9. Based on the recommendation made by the District Forest Officer, Pudukkottai Division and Chief Conservator of Forests, Trichy Circle, the Principal Chief Conservator of Forests has recommended the proposal for diversion of 0.0069 ha. of forest land for laying underground Optical Fiber Cable (OFC) in Vaiyampatti to Konnaiyur route through forest areas of Ammankuruchi Reserved Forest to a distance of 228.60m for providing 4G wireless Broadband in Pudukkottai District in favour of the Jio Digital Fibre Private Limited, Chennai, under section 2 of Forest (Conservation) Act, 1980, for a period of 20 years and requested the Government to forward same to Government of India for obtaining the approval for the project proposal, subject to the following conditions:-

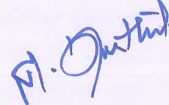
- (i) The legal status of the land shall remain unchanged and shall remain as Reserved Forests.
- (ii) The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at appropriate places as per the directions of the District Forest Officer concerned at the cost of User Agency.
- (iii) The Optical Fiber Cable shall be laid down 1.5m below the ground and after laying down of Optical Fiber Cable the ground should be leveled.
- (iv) The Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to the effect.
- (v) The User Agency shall be responsible for any loss to Flora and Fauna in the surroundings and shall take all possible measures to conserve the same.

- (vi) The forest land shall not be used for any other purpose other than that specified in the proposal.
- (vii) The lease rent should be realized from the User Agency as per G.O.(Ms).No.272, Environment and Forests (FR.XIII) Department, dated 15.04.1991.
- (viii) The period of lease is 20 years.
- (ix) The User Agency should send renewal proposal one year before expiry of lease.
- (x) The Chief Conservator of Forests and District Forest Officer may impose any other condition in the interest of conservation / protection land development of forests.
- (xi) The compliance report shall be uploaded on e-portal.

10. The Government have examined and accept the proposal (FP/TN/OFC/118876/2021) of the Principal Chief Conservator of Forests (Head of Forest Force) for diversion of 0.0069 ha. of forest land for laying underground Optical Fiber Cable (OFC) in Vaiyampatti to Konnaiyur route through forest areas of Ammankuruchi Reserved Forest to a distance of 228.60m for providing 4G wireless Broadband in Pudukkottai District in favour of the Jio Digital Fibre Private Limited, Chennai, for a period of 20 years, under section 2 of Forest (Conservation) Act, 1980 and decided to forward the same to Ministry of Environment, Forests and Climate Change, Government of India for obtaining their concurrence.

11. I am, therefore, directed to request you to kindly obtain the concurrence of the Competent Authority and communicate the same to this Government, early.

Yours faithfully,



for Additional Chief Secretary to Government.

8
2/4/23

Copy to:-

The Principal Chief Conservator of Forest
(Head of Forest Force),
Chennai-32.
Jio Digital Fibre Private Limited,
No. 89, Dr. Radhakrishnan Salai,
Mylapore, Chennai – 600 004.

PART – V

(To be filled in by the Secretary in charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

Proposal (FP/TN/OFC/118876/2021) for diversion of 0.0069 ha. of forest land for laying underground Optical Fiber Cable (OFC) in Vaiyampatti to Konnaiyur route through forest areas of Ammankuruchi Reserved Forest to a distance of 228.60m for providing 4G wireless Broadband in Pudukkottai District in favour of the Jio Digital Fibre Private Limited, Chennai, for a period of 20 years under Section 2 of Forest (Conservation) Act, 1980.

18. Recommendation of the State Government

Recommended

(Adverse comments made by any officer or authority in Part-B or Part – C or Part – D above should be specifically commented upon)

Date : 05.04.2023

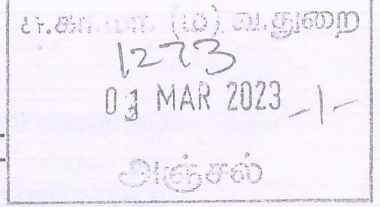
Place : Chennai-9.

S. Mohan Ramani
[S. MOHAN RAMANI]
Signature

Name & Designation
(Official Seal)

அரசு துணைச் செயலாளர்,
சுற்றுச்சூழல், காலநிலை மாற்றம் - வனத்துறை,
தலைமைச் செயலகம், சென்னை-9.

C No. 1273/FR.10/2023



TAMIL NADU FOREST DEPARTMENT

From
Subrat Mohapatra, IFS.,
Principal Chief Conservator of Forests
(Head of Forest Force)
Forest Headquarters Building,
Guindy Velachery Main road,
Near Kannikapuram Checkpost,
Guindy, Chennai - 600 032

To
The Additional Chief Secretary to
Government,
Environment Climate Change and
Forests Department,
Secretariat, Chennai 600 009.

Ref. No. TS4/1044/2021 dated.24.02.2023

Madam,

Sub: Forests - Forest (Conservation) Act, 1980 – Trichy Circle / Pudukkottai Division – Proposal for diversion of forest land to an area of 0.0069ha for laying underground Optical Fiber cable in Vaiyampatti-Konnaiyur MDR 729-Ammankurichy RF to a distance of 228.60m- for providing 4G wireless Broadband– Online proposal submission by the User Agency ie. Jio Digital Fibre private Ltd., Chennai - Regarding.

- Ref:
1. Online proposal uploaded by the User Agency (i.e) M/S Jio Digital Fibre private Ltd, Mylapore, Chennai letter dt.07.01.2021.(Proposal No: FP/TN/OFC/118876/2021) and revised proposal uploaded on 10.07.2022.
 2. Part-II uploaded by the District Forest Officer, Pudukkottai on 25.01.2023.
 3. Part-III uploaded by the Chief Conservator of Forests, Trichy on 07.02.2023.

I wish to state that the Jio Digital Fibre private Ltd., Chennai has sent a proposal under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.0069 ha of forest land for laying of underground OFC along Vaiyampatty to Konnaiyur route through forest areas of Ammankuruchi Reserved Forest in Pudukkottai District through online web portal in the prescribed format.

2) The User Agency has furnished following Certificates / Undertakings.

- i. Signed copy of Form A.
- ii. Letter of Authorisation.
- iii. GPS map of the proposed water supply pipelines through Ammankurichi Reserved Forest
- iv. Survey of India topo - sheet indicating boundary of forest land proposed.
- v. Google map for the Forest land proposed for diversion in Ammankurichi RF.
- vi. Justification for locating the project in Forest land
- vii. Certificate of Settlement of rights under Scheduled Tribes and Other Traditional Forest Dwellers under Forest Rights Act 2006 in the prescribed format obtained from the District Collector, Pudukkottai vide District Collector ROC.No.E4/2721/2021, dt. 13.06.2022.

- 2
- viii) Certificate from the District Collector regarding no other feasibility alternate alignment for the above project obtained from District Collector, Pudukottai vide ROC No. E4/2721/20212, dt. 13.06.2022.

3) In Additional information details the following documents were uploaded.

- a) Area requirement details (228.6m length; 0.30m width =0.0069ha area)
- b) Certificate by the user Agency that there is no CAT plan in the approved plan.
- c) Certificate given by the User Agency regarding the no violation of any provisions of Forest (Conservation) Act, 1980.
- d) Certificate by the User Agency that this is only possible route and there is no other alternative feasible route available.
- e) Under taking by the user agency to bear the cost of Compensatory Afforestation / Penal Compensatory Afforestation / Maintenance of plantation/ Protection of plantation if any for the proposed Diversion of Forest land fixed by the Forest Department.
- f) Under taking by the user agency for the payment of Net Present Value of the forest land involved.
- g) Undertaking by the user agency for the payment of Additional Net Present Value if any demand raised by the forest department.
- h) Undertaking to pay the cost along with any escalation for exploitation of trees if any available in the alignment path any for the proposed Diversion of Forest land fixed by the Forest Department.
- i) Undertaking for the payment of cost of felling of trees and transportation cost of the trees to be removed in the forest land involved.
- j) Undertaking for the payment of cost towards lease rent as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted.

4) The District Forest Officer, Pudukkottai has uploaded the Part-II of Form A and furnished the details as noted below.

- i) Area to be diverted for the above proposal is 0.0069ha forest land in Ammankurichy Reserved Forest to a density of zero and type of forest is Eco class-4 .
- ii) No spontaneous or planted tree growth is available in the proposed forest area.

- iii) The details of wildlife present in and around the forest land proposed for diversion is Spotted deer, Peacock, python, monkey and hare.
- iv) The proposed area does not forms part of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, Wildlife Migration Corridor.
- v) The proposed area is not located within Eco Sensitive Zone of the protected area notified under Wildlife (Protection) Act 1972.
- vi) The forest land proposed for diversion is not located within 1km from the boundary of National Park, Wildlife Sanctuary, Biosphere Reserve, Tiger Reserve, Elephant Corridor, and Wildlife Migration Corridor.
- vii) No rare / endangered / unique species of Flora and Fauna found in the proposed area.
- viii) No protected archeological / heritage site / defense establishment or any other important monument is located in the area.
- ix) No work in violation of the Act or guidelines issued under the act.
- x) No Compensatory Afforestation has been proposed as no felling of trees involved in this project.

5) The District Forest Officer, Pudukkottai has inspected the proposed project site in Ammankurichi Reserved Forest on 15.12.2022 and stated that

- a) The length of the OFC to be laid is 228.6m to a width of 0.30m to a depth of 1 to 2m and the area proposed is 0.0069ha.
- b) The cable will be laid on the right side of the road from Vaiyampatty to Konnaiyur across Ammankurichi Reserved Forest.

- c) The user agency has informed that no trees or vegetation will be felled or disturbed during the execution of the project.
- d) About machinery to be used for excavation and its impact, the user agency has informed that earthmover will be used without disturbing the vegetation and the excavated earth will be dumped on the road side and not on the forest side.
- e) The project is important for better connectivity of 4G net work to all the public for communication.
- f) The user agency has informed that the excavation will be immediately closed after laying the underground OFC without affecting the migratory wildlife.

6) In the recommendation, the District Forest Officer has stated that since the work is essential for improvement of better communication infrastructure (4G network) to all the people and the project does not involve felling of trees and other vegetation, it is recommended.

7) The Chief Conservator of Forests , Trichy in his site inspection report stated that

-4-

(i).The proposed area for diversion of 0.0069ha in Ammankurichi Reserved Forest in Pudukkottai District has been inspected along with District Forest Officer, Pudukkottai on 29.12.2022.

ii). The project is important for better connectivity of 4G net work to all the public for communication.

iii) The user agency has informed that no trees or vegetation will be felled or disturbed during the execution of the project.

(iv) The user agency has informed that the excavation will be immediately closed after laying the underground OFC without affecting the migratory wildlife.

(v) There is no alternate land is available.

8) In the recommendation, the Chief Conservator of Forests, Trichy has stated that the proposal for diversion of 0.0069ha of forest land for laying of underground OFC along Vaiyampatty to Konnaiyar road across Ammankurichi Reserved Forest for providing 4G wirwless broadband at Pudukkottai Division is recommended since no alternative land is available.

9) In this regard, it is submitted that the User Agency has uploaded all the certificates /undertakings/details as required in this proposal.

10) The proposal is sent herewith duly recommended in the part IV of Form A by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer (Forest Conservation Act).

11) The area proposed for diversion of 0.0069ha of forest land for laying of underground OFC in Vaiyampatty to Konnaiyur across Ammankurichi Reserved Forest for providing 4G wirwless broadband at Pudukkottai Division is recommended and forwarded to the Government for consideration and to obtain approval from Government of India as the User Agency is a private company subject to the following conditions.

(i) The legal status of the land shall remain unchanged and shall remain as Reserved Forests.

(ii)The demarcation of the proposed forest area shall be carried out by erecting 4 feet height cement concrete pillars duly numbered at appropriate places as per the directions of the District Forest Officer concerned at the cost of User Agency.

(iii)The OFC shall be laid down 1.5m below the ground and after laying down of OFC the ground should be leveled.

(iv)The Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future shall by charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to the effect.

- (v) The User Agency shall be responsible for any loss to Flora and Fauna in the surroundings and shall take all possible measures to conserve the same.
- (vi) The forest land shall not be used for any other purpose other than that specified in the proposal.
- (vii) The lease rent should be realized from the User Agency as per G.O.Ms.No.272, E&F(FR.XIII) Dept. dated 15.04.1991.
- (viii) The period of lease is 20 years.
- (ix) The User Agency should send renewal proposal one year before expiry of lease.
- (x) The Chief Conservator of Forests and District Forest Officer may impose any other condition in the interest of conservation /protection land development of forests.
- (xi) The compliance report shall be uploaded on e-portal.

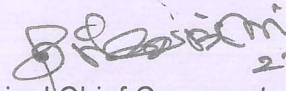
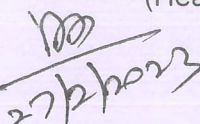
The Government of India Guidelines of Forest (Conservation) Act, 1980 in F.No.5-3/2007-FC, dated 05.02.2009, exemption for payment of Net Present Value for underground laying of Optical Fibre Cable has been allowed, if the area does not form a part of National Park / Sanctuary and no felling of trees is involved.

This project area is not declared as National Park / Sanctuary and no felling of trees involved in this project. Hence payment of Net Present Value for the forest area diversion of laying OFC may not be insisted.

I request that the proposal for diversion of forest land of 0.0069Ha for laying of underground OFC in Vaiyampatty to Konnaiyur across Ammankurichi Reserved Forest of Pudukottai division for providing 4G wireless broadband may kindly be considered and approval may be obtained from the Government of India for a period of 20 years.

Encl.: Proposal

Yours faithfully


27/2/2023
for Principal Chief Conservator of Forests
(Head of Forest Force)

27/2/2023

