

TAMILNADU FOREST DEPARTMENT

From

To

SelviK.KarthikeyanIFS.,
Wildlife Warden,
Hosur Forest Division,
Mathigiri, Hosur – 635 110.

M/s. Reliance JioInfocomm Limited,
No.89, RadhakrishnanSalai,
Mylapore,
Chennai - 4.

C.No.8923 / 2017 / D, Dated 06-01-2022

Sir,

Sub : Forests - Forest (Conservation) Act 1980 -Hosur Forest Division - Proposal for diversion of 0.258ha of forest land in Cauvery North Wildlife Sanctuary area for laying of underground Optical Fiber Cable (OFC) along the road side of Dharmapuri-Anchetty road passing through Anchetty RF in Hosur Wildlife Division, Hosur in the Krishnagiri District in favour of M/s Reliance JioInfocomm Limited, Mylapore, Chennai - Revised Demand letter for compliance of Stage-1 Forest Clearance -Regarding.

- Ref : 1) The Government of India, Ministry of Environment, Forests and Climate Change (Forest Conservation Division), New Delhi File No. 5-3 / 2011-FC (Vol-I) dated 06-01-2022.
- 2) The Government of India, Ministry of Environment, Forests and Climate Change Lr.No.F.No.4-TNB076 / 2021 - CHN / 898 dated 23-08-2022.
- 3) The Conservator of Forests, Dharmapuri C.No. 7324 / 2019dated 13-09-2022.
- 4) This Office C.No. 8923 / 2017 / D, dated 30-09-2022
- 5) The Principal Chief Conservator of Forests (Head of Forests Force), Chennai C.No. TS3 / 37866 / 2019 dated 25-10-2022.

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I invite kind attention to the reference 2nd cited, where in the Government of India has conveyed stage-I approval for diversion of 0.258ha of forest land in Cauvery North Wildlife Sanctuary area for laying of underground Optical Fiber Cable (OFC) along the road side of Dharmapuri-Anchetty road passing through Anchetty RF in Hosur Wildlife Division, Hosur in the Krishnagiri District in favour of M/s Reliance JioInfocomm Limited, Mylapore, Chennai with conditions and instructed to send compliance report for issuing final approval.

In para (3) of Government of India letter cited in the above Ref (1), the Net Present Value is stated as follows.

“NPV shall be charged to the extent of ten times of the normal NPV payable in the case of National Parks and five times in the case of Sanctuaries. The use of non-forest land falling within the National Parks and Wildlife Sanctuaries may be permitted on the payment of an amount equal to the NPV payable for the adjoining forest area. In respect of non-forest land falling within Marine National Parks / Wildlife Sanctuaries, the amount shall be five times the NPV payable for the adjoining forest area”.

In the above Government letter, it is mentioned that, NPV need to be charged for five times for forest areas and normal NPV for non-forest land in the case of the Sanctuary. In this case, the proposed alignment is passing through Anchetty RF to a length of 8600m (0.258ha) is part of Cauvery North Wildlife Sanctuary. Based on the above, and also in continuation of this office Ref (3) cited above, a revised demand was prepared is as follows.

Net Present Value (NPV):

Sl. No.	Name of RF	Sanctuary details	Proposed diverted area	NPV
i.	Anchetty RF (8600m length)	Cauvery North Wildlife Sanctuary	0.258 ha	Rs. 15,84,881/- (8600m length x 0.30m width = 0.258ha x Rs.12,28,590 / ha x 5 times for Sanctuary)
	Total			Rs. 15,84,881/-

Therefore, the User Agency is requested to deposit the revised Net Present Value and submit the revised compliance report along with the following documents / details may be furnished to this office urgently for submitting compliance report to the Principal Chief Conservator of Forests.

Sl. No.	Conditions stipulated by State Government	Demand
(i)	The Legal status of the diverted forest land shall remain unchanged.	Will not be changed.

Sl. No.	Conditions stipulated by State Government	Demand
(ii)	The demarcation of the proposed forest area shall be carried out by erecting of 4 feet high cement concrete pillars duly numbered at the appropriate distance as decided by the District Forest Officer concerned, at the cost of User Agency.	The User Agency shall carry out the demarcation of the proposed forest area by erecting 4 feet high cement concrete pillars duly numbered for each and every turning point and at an interval of visible distance of 200 meters and the responsibility of maintaining demarcation stones for the entire project diversion period lies with user agency only.
(iii)	The State Government shall charge the Net Present Value of the diverted forest land measuring 0.258ha from the User Agency as per the orders of the Hon'ble Supreme Court dated 28-03-2008 and 09-05-2008 in IA Nos.826 in 566 with related IA's in Writ Petition (Civil) No. 202/1995 and Ministry's guideline No.5-3/2011-FC (Vol-1) dated 06-01-2022 and clarification issued vide letter dated 22-03-2022.	The User Agency is to deposit an amount of Rs.15,84,881/- (Rupees Fifteen lakh eighty four thousand eight hundred eighty only) directly to the CAPMA account by generating challan in the Ministry's website by NEFT / RTGS towards the Net Present Value (NPV) to an extent of 0.258ha which is falls inside the Cauvery North Wildlife Sanctuary.
(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 changed by the State Government from the User Agency. The User Agency shall furnish an undertaking to this effect.	The User Agency will give necessary "Undertaking" to pay additional amount of Net Present Value if any suggested by the Forest Department.
(v)	The maximum size of the trench shall not exceed 2.00meter depth, 8600m length and 0.30meter width. The forest land shall be restored to its original state after laying the same.	The User Agency will give necessary "Certificate" in this regard.

Sl. No.	Conditions stipulated by State Government	Demand
(vi)	As a part of the forest area proposed for diversion is forms part of Cauvery North Wildlife Sanctuary, the User Agency shall obtain approval from the competent authority under Wildlife Protection Act 1972 and from the competent authority under relevant act / rules / regulation for the area falls in the Eco Sensitive Zone. The State Government shall ensure all approvals required for the project before issuing of working permission, as the case may be.,	The User Agency shall obtain approval from the competent authority under Wildlife Protection Act 1972 and from the competent authority under relevant act / rules / regulation for the area falls in the Cauvery North Wildlife Sanctuary and also for the area falls in the Eco Sensitive Zone of Cauvery North Wildlife Sanctuary.
(vii)	The layout plan of the proposal shall not be changed without the prior approval of the Central Government	The User Agency will give necessary "Certificate" in this regard.
(viii)	No labour camp shall be established on the forest land	The User Agency will give necessary "Certificate" in this regard.
(ix)	Disturbance shall be kept minimal by creating labour camps outside the forest area as far as possible and it will be the responsibility of the User Agency to ensure that the machinery, labourers and staff engaged in execution of work shall not destruct nearby forest flora and fauna.	The User Agency will give necessary "Certificate" in this regard.
(x)	Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the laborer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.	The User Agency will give necessary "Certificate" in this regard.
(xi)	No tree felling shall be carried out by the User Agency	The User Agency will give necessary "Certificate" in this regard.

Sl. No.	Conditions stipulated by State Government	Demand
(xii)	The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, development or person without prior approval of the Central Government	The User Agency will give necessary "Certificate" in this regard.
(xiii)	The total forest area utilized for the project shall not exceed 0.258ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.	The User Agency will give necessary "Certificate" in this regard.
(xiv)	No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.	The User Agency will give necessary "Certificate" in this regard.
(xv)	User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project.	The User Agency will give necessary "Certificate" in this regard.
(xvi)	Any other conditions that the Central Government or Regional Officer (Central) of the Integrated Regional Office, Chennai may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the User Agency.	The User Agency will give necessary "Certificate" in this regard.
(xvii)	In the event of failure to comply with any of the above conditions the user agency is liable for penal action as per the provisions in Ministry's guidelines.	The User Agency will give necessary "Certificate" in this regard.

Sl. No.	Conditions stipulated by State Government	Demand
(xviii)	The User Agency has to pay the cost towards annual lease rent as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted for the above project in future for the entire project period.	The User Agency will give necessary "Undertaking" to pay the cost towards annual lease rent as fixed by the Forest Department at the time of sanction along with any escalation

Accordingly, the User Agency shall fulfil the above demands and furnish the undertakings / certificates stipulated by the Government for getting final approval.

Yours faithfully
Sd/-K.Karthikeyani,
Wildlife Warden,
Hosur Forest Division,
Hosur.

Copy submitted to the Principal Chief Conservator of Forests (HoFF), Chennai for information.

Copy submitted to the Conservator of Forests, Dharmapuri for information.

// t.c.b.o //

 06/01/2023
Draughting Officer.