



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

**Letter No: 15940/ FR.10/2020-3, dated: 06.10.2021**

From  
Tmt.Supriya Sahu, IAS.,  
Principal Secretary to Government.

✓ To  
The Additional Director General of Forests (Central),  
Government of India,  
Ministry of Environment, Forests and Climate Change,  
Integrated Regional Office (South Eastern Zone),  
1<sup>st</sup> & 2<sup>nd</sup> Floor, HEPC Building,  
No.34, Cathedral Garden Road,  
Nungambakkam, Chennai-34.(w.e.)

Sir,

Sub: Forest (Conservation) Act, 1980 – Dharmapuri Circle / Hosur Division -  
Proposal for diversion of 0.258 ha of forest land in Cauvery North  
Wildlife Sanctuary area for laying of underground Optical Fiber Cable  
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 Jio Infocomm Limited, Mylapore, Chennai – 4  
– Regarding.

Ref: From the Principal Chief Conservator of Forests, letter  
No.TS3/37866/2019, dated 09.11.2020, 23.03.2021 and 15.07.2021.

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In the reference cited, the Principal Chief Conservator of Forests has stated that M/s Reliance Jio Infocomm Limited, No. 89, Radhakrishnan Salai, Mylapore, Chennai - 4 has uploaded online application under Section 2 of Forest (Conservation) Act, 1980 for diversion of 0.258 ha of forest land in Cauvery North Wildlife Sanctuary area for laying of underground Optical Fiber Cable along the road side of Dharmapuri-Anchetty road passing through Anchetty RF in Hosur Wildlife Division, Hosur in the Krishnagiri District.

2. In the Part-II of Form-A, the Wildlife Warden, Hosur Division has furnished the following details:-

- i. The legal status of the proposed site of diversion of 0.258 ha of forest land requested for the project is Reserved Forests. As per the site inspection report and recommendation of the project uploaded by the Wildlife Warden, Hosur Division, name of the forest land reported as "Anchetty Reserved Forests" and extent of area proposed for diversion is 0.258 ha.



- ii. Density of the forest area is 0.4 and Eco class of forest area is three.
- iii. He has reported that species wise and girth class wise enumeration of trees in the area is NIL.
- iv. On vulnerability of the forest land proposed for diversion, the Wildlife Warden has reported that it is a linear project along the existing road side without having to change the landscape profile, hence no soil to be eroded.
- v. Significance of the forest land proposed for diversion from wildlife point of view as follows:-

1. Details of wildlife present in and around the forest land proposed for diversion:	Elephant, Indian hare, Spotted deer, Indian guar, Pea fowl, etc.,
2. Whether forms part of national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc.  Details and comments on the impact of Project on such areas:	Yes  The proposed alignment passing through Anchetty Reserve Forest is part of the Cauvery North Wildlife Sanctuary.
3. Whether the forest land proposed for diversion is located within eco-sensitive zone(ESZ) of the Protected Area notified under Wildlife (Protection) Act, 1972 (Note: In case, ESZ of a Protected Area is not notified, then, 10 kms distance from boundary of the Protected Area should be treated as ESZ):  Details of Protected Area and Comments on the impact of Project on the ESZ:	Yes  The ESZ for Cauvery North Wildlife Sanctuary is notified vide Government of India Ministry of Environment, Forest and Climate Change notification S.O.07 E, dated 01.01.2020. The proposed alignment passing through Anchettry Reserve Forest is part of the Cauvery North Wildlife Sanctuary.



<p>4 Whether any national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc., is located within 1km. from boundary of the forest land proposed for diversion:</p> <p>Details and comments on the impact of Project on such areas:</p>	<p>Yes</p> <p>The proposed alignment passing through Anchetty Reserve Forest is part of the Cauvery North Wildlife Sanctuary. The Project involves laying of Optical Fire Cable by digging shallow pit to depth of 2ft. the activity is one time works would not have any impact on the forest or wildlife.</p>
<p>5. Whether any rare/ endangered/ unique species of flora and fauna found in the area:</p>	<p>Yes</p>

- vi. There is no protected archaeological / heritage site / defense establishment or any other important monument is located in the area.
- vii. Requirement of forest land as proposed by the User Agency is unavoidable and bare minimum for the project and no work in violation of the Act or guidelines has been carried out.
- viii. Forest area proposed for diversion is 0.258 ha and there is no felling of trees involved. Hence the Wildlife Warden, Hosur Division has not insisted any compensatory afforestation scheme. As per Forest Conservation Act, 1980 guidelines under special provisions for Compensatory Afforestation for certain categories of schemes, Compensatory Afforestation shall be raised and maintained at the cost of User Agency on degraded forest land twice in extent of forest area diverted for laying of telephone/optical fibre cable. Since the forest area proposed for diversion is 0.258 ha and there is no tree felling involved in the project area, and forest area proposed for diversion is within 1 hectare area the Wildlife Warden has not insisted any compensatory afforestation scheme.

3. The Wildlife Warden, Hosur Division has inspected the site on 08.04.2020 and he has stated that this proposal is for diversion under Forest (Conservation) Act 1980 for laying underground Optical Fire Cable to improve communication networking 4G facility to an extent of 0.258 ha is a linear project and it is proposed along the stretches of Dharmapuri-Anchetty State Highways, which is passing through Anchetty Reserve Forests. The proposed alignment passing through Anchetty RF is part of Cauvery North Wildlife Sanctuary. The proposed alignment of the laying OFC is along the side of the already existing black topped road from Dharmapuri to Anchetty. The Optical Fire Cable is proposed to be laid underground alongside of the road by



way of digging trench of size 0.30m width and 0.60m depth. The trench is proposed to be dug at a distance of approximately 1.00 to 2.00m away from the existing black topped road. The alignment of the proposed Optical Fire Cable does not lead to any felling of trees or disturbances to the landscape and there would be no disturbance to wild animals.

4. In the specific recommendation, the Wildlife Warden, Hosur Division has stated that enabling 4G connectivity through forest will help the forest department as there are plans to erect CCTV camera at the entry and exit point of the forest roads to enable monitoring of movement of traffic through live streaming using internet connectivity. Under the above circumstances the Wildlife Warden has recommended the proposal for seeking diversion of forest land.

5. The Conservator of Forests, Dharmapuri Circle has inspected the area on 23.09.2020 and in his recommendation has stated that as per the instructions in force the User Agency has to get the prior permission of the National Board of Wildlife under Wildlife Protection Act, 1972, since the forest area proposed for diversion is within the Cauvery North Wildlife sanctuary.

6. The Principal Chief Conservator of Forests has stated that the User Agency has requested forest area diversion for a period of 99 years. The Wildlife Warden and Conservator of Forests have not specified the period of diversion recommended for the project. For laying of underground Optical Fiber Cable work in the forest area, diversion of forest land has been recommended for 20 years as recommended for other Optical Fire Cable projects including the User Agency proposal of Optical Fire Cable work in the Mudumalai Tiger Reserve area in Nilgiris District.

7. The Principal Chief Conservator of Forests has stated that as per Government of India, Ministry of Environment, Forest and Climate Change (Forest Conservation Division), New Delhi letter F.No.11-327/2015-FC, dated 14.08.2015, apart from prior approval of Central Government under the Forest (Conservation) Act, 1980, use of forest land in Protected Areas requires prior recommendation of Standing Committee of National Board for Wildlife and the prior leave of the Hon'ble Supreme Court also. The proposals seeking prior approval of Central Government under the Forest (Conservation) Act and to obtain prior recommendation of Standing Committee of NBWL for use of forest land for non forestry purpose in protected areas may be proposed concurrently subject to the following condition.

- i. Pending receipt of recommendation of Standing Committee of NBWL and prior leave of the Supreme Court, State Governments may receive and process proposals seeking prior approval of Central Government under the Forest (Conservation) Act for use of forest land for non forest purpose in Protected Areas on merit of each case and forward the same to the Central Government.
- ii. In case the entire forest land indicated in a proposal is located within one or more Protected Areas, the Central Government will refer such proposal, which is complete in all respect, along with site inspection report, wherever required to the Forest Advisory Committee (FAC) only after use of such forest land for non-forest purpose has been



recommended by the Standing Committee of the NBWL. The FAC will examine such proposals and make appropriate recommendations on merit of each case. In case, FAC decides to recommend grant of approval under the Forest (Conservation) Act for diversion of the whole or part of such forest land, approval of the competent authority to accept such recommendation will be sought only after prior leave of Supreme Court for use of forest land for non forestry purpose is obtained by the concerned User Agency.

8. The Principal Chief Conservator of Forests has also stated that as per Government of India guidelines in letter No.11-9/98-FC dated 16.10.2000 and 08.04.2009, State Forest Department was empowered to accord permission for laying underground telephone lines/optical fiber cables and drinking water supply pipelines along the roads within the existing right of way not falling in National Park and Wildlife Sanctuary without felling of trees and the maximum size of the trench is 2.00 metre depth and 1.00 metre width. Any deviation/ conditions will require separate submission of proposal under Forest (Conservation) Act, 1980. Part of the proposal area falls in Cauvery North Wildlife Sanctuary area. Hence this project requires approval from the Government of India.

9. The Principal Chief Conservator of Forests has also stated that in Government of India guidelines of Forest (Conservation) Act, 1980 in F.No.5-3/2007-FC, dated 05.02.2009, full exemption for payment of Net Present Value for underground laying of Optical Fibre Cable has been allowed for areas falling in forest areas but this exemption not allowed for National Park and Sanctuaries. Part of the area is falling under Sanctuary area, hence payment of Net Present Value may be insisted as per Government of India guidelines.

10. Further the Principal Chief Conservator of Forests has stated that State Government may accord diversion of forest land less than one hectare in each case for non forestry purposes under the Forest (Conservation) Act, 1980, for creation of critical development and security related infrastructure of Government Departments under the general approval of Section 2 of Forest (Conservation) Act, 1980 guidelines. As per above Government of India guidelines, general approval is accorded for Government managed welfare works and works in forest area only. Forest areas falling under National Park and Wildlife Sanctuaries are not covered under general approval category. Any forest land diversion in National Park and Wildlife Sanctuary requires clearance from National Board for Wildlife besides orders from the Supreme Court of India.

11. The Principal Chief Conservator of Forests (Head of Department) and Additional Principal Chief Conservator of Forests (FCA) (i/c) / Nodal Officer, Forest (Conservation) Act, 1980 has recommended the proposal for diversion of 0.258 ha of forest land in Cauvery North Wildlife Sanctuary area for laying of underground Optical Fiber Cable 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 Jio Infocomm Limited, Mylapore, Chennai-4 for a period of 20 years under Section 2 of Forest (Conservation) Act, 1980 subjected to the following conditions:-

- i. The legal status of the diverted forest land shall remain unchanged.



- ii. The demarcation of the proposed forest land shall be carried out by the User Agency by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at their cost.
- iii. Felling of trees shall not be involved and labour camp shall not be established in the Forest area.
- iv. The User Agency has to pay the amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India.
- v. The User Agency has to bear the additional amount of Net Present Value which will be fixed as per the guidelines of Hon'ble Supreme Court of India as fixed by Forest Department in future.
- vi. The user agency shall compulsorily transfer the Compensatory Afforestation scheme cost and Net present Value of forest land proposed for diversion under the project to CAMPA funds only through e-portal (<https://parivesh.nic.in/>)
- vii. The User Agency has to pay the cost towards lease rent for the forest area diversion period as fixed by the Forest Department at the time of sanction along with any escalation for the forest land to be diverted of the above project in future for the entire project period.
- viii. The total forest area utilized for the project shall not exceed 0.258 ha for laying Optical Fibre Cable to a length of 8600 with a width of 0.30 m in Anchetty Reserved Forest along the road side of existing Dharmapuri-Anchetty road.
- ix. Period of lease can be twenty (20) years. The User Agency has to apply renewal proposal before one year of expiry of lease with the State Forest Department.
- x. The user agency has to obtain orders from the National Board for Wildlife/ State Board for Wildlife before commencement of the project under Wildlife Protection Act, 1972.

12. On the clarification, the Principal Chief Conservator of Forests has now informed that details of Right of way available, width of existing road, applicability of Forest (Conservation) Act, NBWL furnished by the Wildlife Warden, Hosuar Division is as follows:-

Sl. No.	Name of the Forest area	Right of way allowed	Existing road width	Applicability of Forest / Wildlife clearance
1	Anchetty Reserved Forest (0.270 ha)	6 yards (18 feet -5.40m)	Black top portion - 5.50m  Shoulders on each side - 1.5m  Nature drain portion 1.0 m in the upper side of the road.	i) Optical Fire Cable has to be laid along the side of the road, which is outside the right of way. - Forest clearance required.  ii) Anchetty RF is part of Cauvery North Wildlife Sanctuary area. - Wildlife clearance required.

Forest area proposed for diversion is outside the right of way and comes within the Cauvery North Wildlife Sanctuary area.

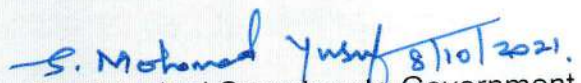


13. The Principal Chief Conservator of Forests has further stated that in the Chapter 12 of the Hand Book, consolidated guidelines prescribed for non forestry activities in forest areas in /near Protected areas, Tiger Reserves, Elephant Reserves, Eco-Sensitive Zones, Zoos. According to section 12.3 – Any proposal for taking up non-forest activity in Protected Areas is required to be cleared by the Standing Committee of National Board for Wildlife (NBWL) under the provisions of Wildlife (Protection) Act, 1972, apart from prior approval of Central Government under the Forest (Conservation) Act, 1980. It has also been stipulated therein that proposals for non-forest use of Protected Areas may be processed concurrently for prior approval of diversion of forest land under Forest (Conservation) Act, 1980 and seeking prior recommendation of the standing Committee on NBWL. Hence the earlier guidelines (Government of India letter F.No.11-327/2015-FC, dated 14.08.2015) on obtaining prior leave of the Hon'ble Supreme Court of India has not been insisted for the instant Project proposal.

14. The Government after careful examination have decided to accept the proposal of the Principal Chief Conservator of Forests for diversion of 0.258 ha of forest land in Cauvery North Wildlife Sanctuary area for laying of underground Optical Fiber Cable along the road side of Dharmapuri-Anchetty road passing through Anchetty Reserve Forests in Hosur Wildlife Division, Hosur in the Krishnagiri District in favour of M/s Reliance Jio Infocomm Limited, Mylapore, Chennai – 4 for a period of 20 years under section 2 of Forest (Conservation) Act, 1980 and to forward the same to Government of India for concurrence.

15. I am, therefore to request you to kindly obtain the concurrence of the Government of India, Ministry of Environment, Forests and Climate Change and communicate the same to this Government, early.

Yours faithfully,

  
For Principal Secretary to Government

Copy to:-

The Principal Chief Conservator of  
Forests (HoD),  
Chennai-15.  
Reliance Jio Infocomm Limited,  
No. 89, Radhakrishnan Salai,  
Mylapore, Chennai - 4.

## 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 Dharmapuri Circle / Hosur Division - Proposal for diversion of 0.258 ha of forest land in Cauvery North Wildlife Sanctuary area for laying of underground Optical Fiber Cable 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 Jio Infocomm Limited, Mylapore, Chennai - 4 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)

Signature

Date : 08.10.2021

Place : Chennai-9.

*S. Nalain*  
Name & Designation  
(Official Seal)

Under Secretary to Government  
Environment, Climate Change and  
Forest Department  
Secretariat, Chennai-600 009.