

Letter No. 19218 /FR.10/2022 - 3, Dated: 15.11.2023

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,
Regional Office,
Additional Office Block for GPOA, 1st Floor,
Shastri Bhawan, Haddows Road,
Nungambakkam, Chennai-600 006.(w.e).

Sir,

Sub: Forests – Forest (Conservation) Act, 1980 – Srivilliputhur
Megamalai Tiger Reserve, Madurai Circle / Theni Forest
Division – Proposal (No.FP/TN/OFC/116522/2020) for
diversion of 0.193 ha of forest land for laying of underground
Optical Fibre Cable along Cumbum–Kumuli NH road from
lower camp to Kumuli through Suranganur Reserved Forest
in Theni division, Theni District in favour of Jio Digital Fibre
private Ltd., Chennai – Proposal – Forwarding off -
Regarding.

Ref: 1. From the Principal Chief Conservator of Forests (HoFF)
letter No.TS4/48485/2020, dated 23.11.2022.
2. Government letter No. 19218/FR.10/2022–1, dated
30.12.2022 and 27.04.2023.
3. From the Principal Chief Conservator of Forests (HoFF)
letter No.TS4/48485/2020, dated 20.03.2023 and
10.08.2023.

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I am directed to enclose a copy of the references 1st and 3rd cited and to state that the Principal Chief Conservator of Forests (Head of Forest Force) in his letter 1st cited has stated that the Jio Digital Fibre Private Limited, Chennai has uploaded online forest clearance proposal under section 2 of Forest (Conservation) Act, 1980 for diversion of 0.193 ha of forest land for laying of underground Optical Fibre Cable along Cumbum–Kumuli NH road from lower camp to Kumuli through Suranganur Reserved Forest in Theni division, Theni District in favour of Jio Digital Fibre Private Ltd., Chennai. The User Agency has furnished the Forest Rights Act Certificate of District Collector without the full name and authenticated official seal of the District Collector, as per the format prescribed in Form-I for linear projects.

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

The area proposed for diversion is in Reserved Forest and the density of vegetation as 0.4 and type of forest is Eco-class-3. The details of wildlife present in the proposed area has been furnished as Lion tailed Macaque. In section 2(ii), it has been stated that there is no trees (Spontaneous (or) Planted) available in the forest area proposed for diversion.

In section 8(ii), whether forms part of national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc, the District Forest Officer has mentioned as "Yes" and for details and comments on the impact of Project on such areas it is stated that "Part of the proposed area (i.e.) 1.30 km falls within the Tiger Corridor, since the location falls within the side of existing National Highway Road there will not be any negative impact if the project executed.

In section 8(iv), whether any national park, wildlife sanctuary, biosphere reserve, tiger reserve, elephant corridor, wildlife migration corridor etc. is located within 1 Km. from boundary of the forest land proposed for diversion is 'Yes' and details and comments on the impact of Project on such areas, he has mentioned as Srivilliputhur Megamalai Tiger Reserve, Megamalai Division, Theni is located around 20m from the proposed location and since the proposed Project is adjacent to the National Highway and the area proposed to be diverted is only 0.193 ha. there will not be any negative impact.

In section 13, the District Forest Officer & Wildlife Warden has not proposed Compensatory Afforestation scheme.

3. Further, the Principal Chief Conservator of Forests (HoFF) has stated that the District Forest Officer, Theni has inspected the proposed area on 16.11.2021, 04.01.2022 and 02.03.2022 and stated that,

- a) The area requested by the User Agency for diversion is 0.193 ha. The requirement of forest land proposed is bare minimum and there is no alternate route.
- b) The proposed area falls in Theni Division, Cumbum west range, Suranganar beat and Kumuli beat, Suranganar Reserved Forest.
- c) The proposed area is along the right side of the Kollam-Dindigul National Highway (NH-183), running between Cumbum-Kumuli.
- d) The proposed area requested for laying of underground Optical Fiber Cable is as follows :
Length – 6.44 kms Width – 0.30 m Depth – 2.00 m
- e) The proposed area is devoid of any vegetation and no tree felling is required for carrying out the proposal.
- f) The area does not have protected, archaeological / heritage site/ defence establishment or any other important monuments.
- g) On inspection of the site, it is found that the proposed area for the project runs along the existing National highways road.
- h) The proposed area does not involve rare species of flora and fauna. During site inspection endangered species such as Lion Tail Macaque was noted.
- i) There is no report of violation of Forest (Conservation) Act against the User Agency for the proposed project.

4. Further, the Principal Chief Conservator of Forests (HoFF) has stated that in the recommendation of the project proposal, the District Forest Officer has stated that,

- i) The proposal for laying of underground Optical Fiber Cable for an area of 0.193 ha in Cumbum west range, Suranganur beat and Kumuli beat, Suranganur Reserved Forest is bare minimum and unavoidable.
- ii) The proposed area does not fall in eco-sensitive zone of Megamalai and Kodaikanal Wildlife Sanctuaries.
- iii) The proposed area does not fall in Eco-sensitive Area (ESA), Part of the proposed area i.e. 1.30 km falls within the Tiger Corridor as per the file available in the website of the National Tiger Conservation Authority (www.ntca.gov.in). The corridor connects the Mathikettan Shola National Park, in the State of Kerala.
- iv) The project aims at providing improvement of communication facilities under the Hon'ble Prime Minister's vision of Digital India. Hence, the proposed area involving diversion of 0.193 ha. of forest area for non-forestry purpose may be permitted.

5. Further, the Principal Chief Conservator of Forests (HoFF) has stated that the Conservator of Forests and Field Director, Srivilliputhur Megamalai Tiger Reserve, Madurai has inspected the area for diversion of 0.193 ha of forest land in Suranganur Reserved Forest for laying of underground Optical Fibre Cable along Cumbum – Kumuli NH Road from Lower Camp in Theni Forest Division of Srivilliputhur Megamalai Tiger Reserve, Madurai along with District Forest Officer, Theni and field staff on 09.03.2022 and reported as follows:

- i) The forest area requested for laying of underground Optical Fibre Cable to a length of 6.44 Kms, width of 0.30m and depth of 2.00m is along the right side of Kollam – Dindigul National Highways (NH-183) running between Cumbum to Kumuli in Theni Forest Division.
- ii) The alignment is along the berm area of the road which involves no felling of trees or causes any disturbance to vegetation.
- iii) The proposed area doesn't fall under any Eco Sensitive Zone, Wildlife Sanctuary, National Park and Tiger Reserve.
- iv) There is no tree felling is required for carrying out this proposal. Hence the diversion of forest land to an extent of 0.193 ha. may be considered.

6. Further, the Principal Chief Conservator of Forests (HoFF) has stated that in the recommendation of the Conservator of Forests has stated that,

- i) The proposed forest area requested for laying of underground Optical Fiber Cable to an extent of 0.193 ha falls in Suranganur Reserved Forest of Cumbum West Range in Theni Division.
- ii) Permission requested for laying of underground Optical Fiber Cable to a length of 6.44Km, width of 0.30m and depth of 2.00m lies along the right side of the Kollam – Dindigul National Highways (NH-183) running between Cumbum to Kumuli in Theni Forest Division in Theni district.
- iii) The Optical Fibre Cable has to be laid along the berms of the road and after laying of cables the trench will be refilled and there is no cutting of fresh land involved.
- iv) As per the file available in the website (www.ntca.gov.in) National Tiger Conservation Authority, a part of the proposed area (i.e.) 1.30km is falls within the Tiger Corridor of Mathikettan Shola National Park and Periyar National Park of Kerala State.
- v) There is no tree felling required for carrying out this proposal. The proposed forest area doesn't fall in any of the Eco Sensitive Zone. Wildlife

Sanctuary, National Park, Heritage Site and Tiger Reserve and hence recommended.

7. Further, the Principal Chief Conservator of Forests (HoFF) has stated that, the District Forest Officer, Theni and the Conservator of Forests and Field Director, Srivilliputhur Megamalai Tiger Reserve, Madurai has stated that as per the file available in the website www.ntca.gov.in. National Tiger Conservation Authority, a part of the proposed area (i.e.) 1.30 km is falls within the Tiger Corridor of Mathikettan Shola National Park and Periyar National Park of Kerala State, the user agency has uploaded the online proposal for Wildlife Clearance for seeking recommendation of Standing Committee of State Board for Wildlife / National Board for Wildlife and the same was forwarded by the Conservator of Forests & Forest Officers, Srivilliputhur Megamalai Tiger Reserve, Madurai to Principal Chief Conservator of Forests & Chief Wildlife Warden on 22.09.2022 for obtaining Wildlife clearance.

8. Further, the Principal Chief Conservator of Forests (HoFF) has stated that for remitting of Net Present Value amount in 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. The above area is not declared as National Park / Sanctuary and no felling of trees involved in this Project. Since the proposed area falls under Tiger Corridor, payment of Net Present Value for the forest area diversion for laying Optical Fibre Cable may be insisted.

9. The Principal Chief Conservator of Forests has sent the proposal duly recommended by the Additional Principal Chief Conservator of Forests (Forest Conservation Act) / Nodal Officer Forest (Conservation) Act, 1980 of the State of Tamil Nadu.

10. Based on the recommendations made by the District Forest Officer, Theni, Conservator of Forests and Field Director, Srivilliputhur Megamalai Tiger Reserve, Madurai and Additional Principal Chief Conservator of Forests (FCA), the Principal Chief Conservator of Forests has recommended the proposal for diversion of 0.193 ha of forest land for laying of underground Optical Fibre Cable along Cumbum-Kumuli NH road from lower camp to Kumuli through Suranganur Reserved Forest in Theni division, Theni District in favour of Jio Digital Fibre private Ltd., Chennai for a period of 20 years, under section 2 of Forest (Conservation) Act, 1980, subject to the following conditions and requested the Government to forward the same to Government of India for obtaining their approval for the project proposal:-

- i) The legal status of the forest 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 an interval of 20 mts at the cost of User Agency.
- iii) The User Agency shall obtain clearance from National Board of Wildlife as 1.3 Km falls with Tiger corridor area of Mathikettan chola National Park and Periyar National Park of Kerala State.
- iv) The User Agency shall pay the Net Present Value of the diverted forest area at the rates stipulated by the Ministry of Environment and Forests from time to time, as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA No.826 in 566 with related IAs in Writ Petition (Civil) No.202/1995.

- v) The fund from the User Agency towards Compensatory Afforestation and NPV under this project shall be deposited by generating chalan from the Ministry's online web portal. UTR No. and date should be furnished.
- vi) 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.
- vii) 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.
- viii) The forest land shall not be used for any purpose other than that specified in the proposal.
- ix) The lease rent should be realized from the User Agency as per G.O. (Ms.) No.272, Environment and Forest (FR.XIII) Department, dated 15.04.1991.
- x) The period of lease is 20 years.
- xi) The User Agency should send renewal proposal one year before the expiry of lease.
- xii) The Conservator of Forests & Field Director and District Forest Officer may impose any other condition in the interest of conservation / protection and development of forests.

11. On further clarification with regard to Compensatory Afforestation Scheme, the Principal Chief Conservator of Forests has stated that, the District Forest Officer, Theni has proposed Compensatory Afforestation scheme for 0.40 ha in the degraded forest land identified at a cost of Rs.6.21 lakhs in the Suranganur Reserved Forest along with cost estimates through the Chief Conservator of Forests & Field Director, Srivilliputhur Megamalai Tiger Reserve, Madurai.

12. The Government have examined and accept the proposal (FP/TN/OFC/116522/2020) of the Principal Chief Conservator of Forests (Head of Forest Force) for diversion of 0.193 ha of forest land for laying of underground Optical Fibre Cable along Cumbum-Kumuli NH road from lower camp to Kumuli through Suranganur Reserved Forest in Theni division, Theni District in favour of Jio Digital Fibre private Ltd., Chennai for a period of 20 years under section 2 of Forest (Conservation) Act, 1980 subject to the conditions as mentioned at para 10 above and decided to forward the same to Ministry of Environment, Forests and Climate Change, Government of India for obtaining their concurrence.

13. 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

M. Mogala
16/11/2023

for Additional Chief Secretary to Government.

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16/11/23

Copy to:

The Principal Chief Conservator of Forests (HoFF),
Chennai-32.

The 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 (No.FP/TN/OFC/116522/2020) for diversion of 0.193 ha of forest land for laying of underground Optical Fibre Cable along Cumbum–Kumuli NH road from lower camp to Kumuli through Suranganur Reserved Forest in Theni division, Theni District in favour of Jio Digital Fibre private Ltd., Chennai for a period of 20 years, under section 2 of Forest (Conservation) Act 1980.

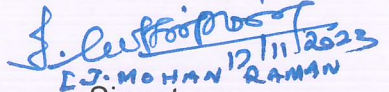
18. Recommendation of the State Government

: 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 : 17.11.2023

Place : Chennai-9.


Signature
Name & Designation
(Official Seal)
Deputy Secretary to Government
Environment, Climate Change and Forest Department
Secretariat, Chennai-09

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TAMIL NADU FOREST DEPARTMENT

From
Subrat Mohoapatra, 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. TS4/48485/2020 dated.20.03.2023

Madam,

Sub: Forest – Forest (Conservation) Act, 1980 – SMTR, Madurai circle –
Theni Forest Division – Proposal for diversion of 0.193 ha of forest land
for laying of underground OFC along Cumbum – Kumuli NH road from
lower camp to Kumuli through Suranganur Reserved Forest – online
proposal submission by the User Agency ie. Jio Digital Fibre private
Ltd., Chennai – Regarding.

- Ref:
1. Online application uploaded by the User Agency Jio Digital Fibre private Ltd., Chennai. (FP/TN/OFC/116522/2020).
 2. Principal Chief Conservator of Forests, Chennai-15
Ref.No:48485/2020/TS4 dated:23.11.2022.
 3. Government letter No.19218/FR-10/2022-1, dt. 30.12.21022.
 4. Principal Chief Conservator of Forests, Chennai ref. No.
TS4/48485/2020, dt. 06.01.2023.
 5. District Forest Officer, Theni letter No. D/7782/2018, dt.
10.03.2023.
 6. 6. Conservator of Forests & Field Director, SMTR, Madurai C.
No. 10490/2021/D1, dt. 13.03.2023.

I wish to state that for the query raised by the Government in letter 3rd cited, the User Agency, Jio Digital Fibre private Ltd., Chennai has uploaded the District Collector certificates without the name of the District Collector and the same was forwarded by the District Forest Officer, Theni and Conservator of Forests & Field Director, SMTR, Madurai vide reference 5th & 6th cited and the copies of the references are enclosed.

Since these certificates are not mandatory for Stage I approval I request that the concurrence of Government of India, Ministry of Environment, Forests and Climate Change, Integrated Regional Office, Nungambakkam, Chennai may kindly be obtained under Forests (Conservation) Act, 1980 for diversion of 0.193 ha of forest land for laying of underground OFC along Cumbnum – Kumuli NH road from lower camp to Kumuli through Suranganur RF in Theni division, Theni district for 20 years subject to obtaining concurrence of NBWL by the User Agency.

End: As stated above.

Yours faithfully,

by
28/3/2023.

for Principal Chief Conservator of Forests
(Head of Forest Force)

28/3/2023

TAMILNADU FOREST DEPARTMENT

From
Subrat Mohapatra, I.F.S.,
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.

C.No.TS4/48485/2020, Dated:10.08.2023

Madam,

Sub: Forest – Forest (Conservation) Act, 1980 – Madurai circle
– Theni Forest Division – Proposal for diversion of 0.193
ha of forest land for laying of underground OFC along
Cumbum – Kumuli NH road from lower camp to Kumuli
through Suranganur Reserved Forest – online proposal
submission by the User Agency ie. Jio Digital Fibre
private Ltd., Chennai – Regarding.

- Ref: 1. Online application uploaded by the User Agency Jio
Digital Fibre Private Ltd., Chennai.
(FP/TN/OFC/116522/2020).
2. Principal Chief Conservator of Forests
Ref.No:48485/2020/TS4, dated 20.03.2023.
3. Government Ltr.No.19218/FR.10/2022-2, dt.27.04.2023.
4. District Forest Officer, Theni Ref.No.7728/2018/D,
dt.12.07.2023.
5. Chief Conservator of Forests & Field Director, SMTR,
Madurai Letter No:10490/2021/D1 dated 24.07.2023

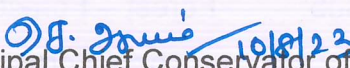
I wish to state that, as instructed by the Government in the reference
3rd cited, the District Forest Officer, Theni has proposed Compensatory
Afforestation scheme for 0.40 ha in the degraded forest land identified at a
cost of Rs.6.21 lakhs in the Suranganar Reserved Forest along with cost
estimates through the Chief Conservator of Forests & Field Director, SMTR,
Madurai. A copy of the same are enclosed herewith.

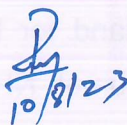
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I request that the proposal for diversion of 0.193 ha of forest land for laying of underground OFC along Cumbum – Kumuli NH road from lower camp to Kumuli through Suranganur Reserved Forest in Theni Forest Division may be approved in favour of Jio Digital Fibre private Ltd., Chennai for a period of 20 years.

Encl. As above.

Yours faithfully


for Principal Chief Conservator of Forests
(Head of Forest Force)


10/8/23