



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

Letter No: 3733/FR.10/2021-1, dated: 13.07.2021

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),
No.1st & 2nd Floor, HEPC Building,
No.34, Cathedral Garden Road,
Nungambakkam, Chennai-34 (w.e).

Sir,

Sub: Forests – Forest (Con) Act, 1980 – Madurai Circle/ Theni
Forest Division – Diversion of 0.039 ha. of forest land for
laying of Optical Fiber Cable along road side of Andipatti-
Usilampatti road section (AndipattiGhat) in Madurai-Kochin
NH49 via Sasthakovil, Thimmarasa-naicknanur Village
across Andipatti South Reserved Forest in Andipatti in
favour of M/s. Reliance Jio Infocomm Limited, Chennai –
Regarding.

Ref: From the Principal Chief Conservator of Forests, Chennai
letter No: TS4/3876/2019, dated: 22.2.2021.

I am directed to enclose a copy of the reference cited and to state that the Principal Chief Conservator of Forests in his letter cited has stated that the District Forest Officer, Theni has inspected the proposed area on 08.06.2020. Diversion of forest area requested by the User Agency is 0.039 Ha. for laying of underground Optical Fibre Cables (OFC) for a distance of 1.30 kms with a width of 0.30 mt. The proposed area is forest land of Andipatty South Reserved Forest, Andipatty South Beat, Andipatty Range. The area is along the Madurai–Cochin National Highways (NH-49), the area is side of the road devoid of vegetation with no tree growth and no important monuments.

2. The District Forest Officer in his recommendation stated that the project for diversion of 0.039 Ha forest land is Andipatty South Reserved Forest. Andipatty Range doesn't fall in Eco Sensitive Zone (ESZ) of Megamalai and Kodaikanal Wildlife Sanctuaries and also not falls under Ecologically Sensitive Area (ESA). Proposed site doesn't have any important monuments / heritage site and is devoid of vegetation as it is along the Madurai – Cochin National Highways. The District Collector has certified

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that there is no alternate non forest land. The User Agency has not carried out any work in violation of provisions of Forest (Conservation) Act, 1980. Since the project aims to provide improvement of communication infrastructure and Hon'ble Prime Minister's vision of Digital India, the diversion of 0.039 Ha. of forest land may be permitted. Since the area to be diverted is less than one ha (i.e.) 0.039 ha and no felling of trees involved, Compensatory Afforestation is not applicable for this project.

3. The Additional Principal Chief Conservator of Forests, Madurai has inspected the proposed area for laying underground Optical Fiber Cable on 29.12.2020 and he has stated that the underground Optical Fiber Cable proposed to be laid on the left side of the existing Madurai-Theni main road to a distance of 1.3 km and the trench width is 0.30 m. There is no felling of trees involved in this proposal hence the diversion of forest land to an extent of 0.039 ha may be considered. In Part III of Form A proposal by stating that the proposed area for diversion does not have any important monuments of Archeological Heritage site, Defence establishment etc. The Additional Principal Chief Conservator of Forests, Madurai has recommended the proposal for underground Optical Fiber Cable in Andipatty South Reserved Forest and beat in Andipatty range in Theni Forest Division to a distance of 1.30 km and trench width of 0.30 m to improve the communication facilities.

4. The Principal Chief Conservator of Forests has further 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 area proposed for this project 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.

5. The proposal is duly recommended by the Additional Principal Chief Conservator of Forests (FCA) / Nodal Officer (Forest Conservation Act).

6. The Principal Chief Conservator of Forests has therefore requested the Government to forward the proposal for diversion of 0.039 ha of forest land for laying Optical Fibre Cable along road side of Andipatty Usilampatty road section in Madurai-Cochin (NH-49) via Sasthakoil, Thimmarasanaicknur village in across Andipatti South RF of Andipatti Range in Theni division, Theni district in favour of M/s.Reliance Jio Infocomm Limited, Mylapore, Chennai-4 for a period of 20 years, to Ministry of Environment, Forest & Climate Change, Government of India for obtaining their concurrence subject to the following conditions since the User Agency is Private Limited Company and no right of way admitted for this road in the Reserved Forest Notification:

- 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 an interval of 20 mts at the cost of User Agency.

- III. The Net Present Value (NPV) and 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.
- IV. The User Agency shall be responsible for any loss of Flora and Fauna in the surroundings and shall take all possible measures to conserve the same.
- V. The forest land shall not be used for any other purpose other than that specified in the proposal.
- VI. 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.
- VII. The period of lease is 20 years.
- VIII. The User Agency should send renewal proposal one year before expiry of lease.
- IX. The Additional Principal Chief Conservator of Forests and District Forest Officer may impose any other condition in the interest of conservation/ protection and development of forests.

7. The Government have examined the proposal of the Principal Chief Conservator of Forests (Head of Department) for diversion of 0.039 ha of forest land for laying of OFC along road side of Andipatti-Usilampatti road section (Andipatti Ghat) in Madurai-Kochin NH 49 via Sasthakovil, Thimmarasa-naicknanur Village across Andipatti South Reserved Forest in Andipatti in Theni division, Theni 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 decided to forward the same to Ministry of Environment, Forests and Climate Change, Government of India for concurrence.

8. 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,

upl. [Signature]
22/7/21

for Principal Secretary to Government
22.7.21

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 for diversion of 0.039 ha of forest land for laying of OFC along road side of Andipatti-Usilampatti road section (Andipatti Ghat) in Madurai-Kochin NH 49 via Sasthakovil, Thimmarasa-naicknanur Village across Andipatti South RF in Andipatti in Theni division, Theni district in favour of M/s. Reliance Jio Infocomm Limited, Mylapore, Chennai-4 for a period of twenty 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 : 13.07.2021

Place : Chennai-9.

S. Rajan 13.7.2021
(S. RAJAN)
Signature
Name & Designation
(Official Seal)
Under Secretary to Government
Environment and Forests Department
Secretariat, Chennai-600 007