

By on-line / E-mail.

TAMILNADU FOREST DEPARTMENT

From

Dr. Sudhanshu Gupta, I.F.S.,
Principal Chief Conservator of Forests,
(Head of Department)
Forest Head Quarters Building,
Guindy-Velachery Main Road,
Guindy, Chennai - 32.

To

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

C. No. TS3/19761/2022 Dated:14.05.2024.

Madam,

Sub: Forest (Conservation) Act, 1980 - Diversion of 0.054 ha of forest land in Villupuram Forest Division for laying of underground Optical Fiber Cable along road side of Maiyanur to Thondananthal road section across Melpanganur RF in Kallakuruchi District in favour of the M/s Reliance Jio Infocomm Limited, Chennai – Stage-I approval accorded by Government of India – Compliance report furnishing – Regarding

- Ref: 1 Online application uploaded by the User Agency - M/s Reliance Jio Infocomm Limited, Chennai - 4 Proposal No.FP/TN/Others/38126/2019
- 2 Part-II of Form-A uploaded by the District Forest Officer, Villupuram Division
- 3 Part-III of Form-A uploaded by the Conservator of Forests, Villupuram Circle
- 4 Principal Chief Conservator of Forests reference No. TS3/19761/2022, dated 01.03.2023 and 18.04.2023
- 5 Government letter No. 1358/FR.10/2023-2, dated 25.07.2023
- 6 Government of India letter F. No. 4-TNB105/2023-CHN/917, dated 31.07.2023

I wish to furnish herewith the Compliance report on Stage I in-Principle approval for diversion of 0.054 ha of forest land in Villupuram Forest Division for laying of underground Optical Fiber Cable along road side of Maiyanur to Thondananthal road section across Melpanganur RF in Kallakuruchi District in favour of the M/s Reliance Jio Infocomm Limited, Chennai as follows.

Condition No.	Conditions stipulated by Government of India	Compliance of condition
i	Legal status of the diverted forest land shall remain unchanged;	Legal status of forest land will remain unchanged. The user agency has furnished an undertaking in this regard.
ii	Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at the appropriate distance as decided by the DFO concerned, at the cost of User Agency;	The District Forest Officer has reported that, demarcation of the proposed forest area by erecting 4 feet high cement concrete pillars, duly numbered, for each and every turning at an interval of visible distance of 200 meters has been laid and also assured to maintain the demarcation stones for the entire project diversion period by the user agency
iii	The State Forest Department shall carryout plantation of 100 numbers of saplings with maintenance for a period of 10 years in the DFL area over an extent of 0.108 ha identified in Thagarai RF Kallakurichi Range, at the cost of the User Agency. The CA shall be carried out as per the time line provided in the FC Rules 2022;	An amount of Rs.5,70,302/- has been paid by the user agency in the CAMPA account by generating challan in the Ministry web portal on 08.11.2023 and the credit was confirmed in the Parivesh Portal.
iv	Full exemption of NPV is allowed in case of laying of underground OFC cable provided no felling of trees is involved and area proposed for diversion is outside of Protected Area as per the MoEF&CC Guidelines.	The user agency has furnished an undertaking in this regard.

Condi tion No.	Conditions stipulated by Government of India	Compliance of condition
	But in case an 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 this effect;	
v	The maximum size of the trench shall not exceed 2.00 mtr depth, 1.80 km length and 0.30 mtr width. The forest land shall be restored to its original state after laying the same;	The user agency has furnished an undertaking in this regard.
vi	The layout plan of the proposal shall not be changed without the prior approval of the Central Government	The user agency has furnished an undertaking in this regard.
vii	No labour camp shall be established on the forest land.	The user agency has furnished an undertaking in this regard.
viii	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 & staff engaged in execution of work shall not destruct nearby forest flora & fauna;	The user agency has furnished an undertaking in this regard.
ix	Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State	The user agency has furnished an undertaking in this regard.

Condition No.	Conditions stipulated by Government of India	Compliance of condition
	Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.	
x	No tree felling shall be carried out by the User Agency;	The user agency has furnished an undertaking in this regard.
xi	RoFR certificate to be obtained from the competent authority and same shall be ensured by the State Govt. before execution of project work, as per the provision made under FC rules 2022;	Certificate issued by the District Collector on completion of process for settlement of Rights under Forest Rights Act 2006 on the forest land proposed for diversion has been uploaded in Part-I of Form-A
xii	The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;	The user agency has furnished an undertaking in this regard.
xiii	The total forest area utilized for the project shall not exceed 0.054 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;	The user agency has furnished an undertaking in this regard.
xiv	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 has furnished an undertaking in this regard.
xv	Any other conditions that the Central Government or Deputy Director General of Forests (Central) of the	The user agency has furnished an undertaking in this regard.

Condition No.	Conditions stipulated by Government of India	Compliance of condition
	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;	
xvi	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 has furnished an undertaking in this regard.

Further, I wish to state that the compliance report of user agency and District Forest Officer, Villupuram Division along with documents, undertakings uploaded in the parivesh portal.

I request that the compliance report may kindly be forwarded to the Government of India, MoEF&CC, Regional Office, Chennai for issue of Stage-II final approval early.

Yours faithfully

For Principal Chief Conservator of Forests
(Head of Department)

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15/05/2024

TAMILNADU FOREST DEPARTMENT

From
Thiru.Sumesh Soman, I.F.S.,
District Forest Officer,
Villupuram Forest Division,
Villupuram.

To.
The Principal Chief Conservator of Forests
(Head of Department) ,
Forest Head Quarters Building,
Guindy-Velachery Main Road,
Near Kannigapuram Check Post,
Guindy, Chennai-600 032.

(Through Conservator of Forest
Viluppuram Circle, Viluppuram.)

C.No.6769/2022/ D. dated:21.12.2023.

Sir,

Sub : Forests – Forest (Conservation) Act 1980 -Villupuram Forest Division – Proposal for diversion of 0.054 ha of forest land for laying of underground Optical Fibre Cable (OFC) along road side Maiyanur to Thondananthal road section across Melpanganur Reserved Forests in Kallakurichi District – Stage –I approval accorded – Compliance report –Regarding.

- Ref : 1. The Government of India, Ministry of Environment, Forests and Climate Change Lr.No.F.No:4-TNB105/2023-CHN/917, Dated: 31.07.2023 (Proposal No:FP/TN/Others/38126/2019).
2. The Principal Chief Conservator of Forests, Chennai C.No.TS3/19761/2022, Dated: 14.09.2023.
3. District Forest Officer, Villupuram C.No:D/6769/2022, dated: 15.09.2023.
4. Reliance Jio Infocomm ltd, Chennai letter dated NIL.

I submit that the compliance report on the fulfilment of conditions stipulated in the Stage I approval under section 2 of Forest (Conservation) Act, 1980 for diversion of 0.054 ha. Of forest land for laying underground OFC works along the road side from Maiyanur to Thondananthal road passing through Melpanganur RF in Villupuram forest division, is furnished below:

Cond ition No	Condition stipulated by Government of India	Compliance of condition
i.	Legal status of the diverted forest land shall remain unchanged.	Legal status of the forest land will remain unchanged. An undertaking is separately enclosed by the user agency.

Condition No	Condition stipulated by Government of India	Compliance of condition
ii.	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.	Demarcation of the proposed forest area by erecting 4 feet high cement concrete pillars duly numbered for each and every turning at an interval of visible distance of 200 meters has been laid and also assured to maintain the demarcation stones for the entire project diversion period by the user agency.
iii.	The State Forest Department shall carryout plantation of 100 numbers of saplings with maintenance for a period of 10 years in the Degraded Forest Land area over an extent of 0.108 ha identified in Thagarai R.F. Kallakurichi Range, at the cost of the User Agency. The CA shall be carried out as per the time line provided in the Forest Conservation Rules, 2022.	An amount of Rs.5,70,302/- (Rupees Five Lakhs Seventy Thousand Three Hundred and Two Only) has been paid directly to the CAPMA account vide UTR No. AXISP00442103960 by generating challan in the Ministry's website by NEFT/RTGS towards the Compensatory Afforestation cost in the Degraded Forest Land area over an extent of 0.108 ha. (Thagarai R.F.) by the District Forest Officer, Villupuram against the proposed area to an extent of 0.054 ha, across Melpanganur RF. Copy of the Challan enclosed.
iv.	Full exemption of NPV is allowed in case of laying of underground OFC cable provided no felling of trees is involved and area proposed for diversion is outside of Protected Area as per the MoEF & CC Guidelines. But in case an 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 undertaking to this effect:	An undertaking is enclosed for payment of additional NPV by the user agency.

Condition No	Condition stipulated by Government of India	Compliance of condition
v.	The maximum size of the trench shall not exceed 2.00 meter depth, 1800 M length and 0.30 meter width. The forest land shall be restored to its original state after laying the same.	A separate certificate is enclosed in this regard by the user agency.
vi.	The layout plan of the proposal shall not be changed without the prior approval of the Central Government.	A separate certificate is enclosed in this regard by the user agency.
vii.	No labour camp shall be established on the forest land	A separate certificate is enclosed in this regard by the user agency.
viii.	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.	A separate certificate is enclosed in this regard by the user agency.
ix.	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.	A separate certificate is enclosed in this regard by the user agency.
x.	No tree felling shall be carried out by the User Agency	A separate certificate is enclosed in this regard by the user agency.
xi.	RoFR certificate to be obtained from the competent authority and same shall be ensured by the State Govt. before execution of project work, as per the provision made under Forest Conservation Rules, 2022;	Recognition of Forest Rights Act, 2006 certificate obtained from the District Collector in the prescribed format has been submitted with the application by the user agency. Copy enclosed.
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	A separate certificate is enclosed in this regard by the user agency.

Condition No	Condition stipulated by Government of India	Compliance of condition
xiii.	The total forest area utilized for the project shall not exceed 0.054 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal.	A separate certificate is enclosed in this regard by the user agency.
xiv.	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.	A separate certificate is enclosed in this regard by the user agency.
xv.	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.	A separate certificate is enclosed in this regard by the user agency.
xvi.	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.	A separate certificate is enclosed in this regard by the user agency.

Copy of the compliance report submitted by the user agency is enclosed in duplicate.

Since the conditions stipulated in the Government of India letter have been fulfilled, I request that Government of India orders may please be issued for Stage II final approval for 0.054 ha of forest land for laying of underground OFC along road from Maiyanur to Thondananthal through Melpanganur RF in Villupuram Forest Division for approval.

Encl.: As stated above.

Yours faithfully,
Sd/-Sumesh Soman,
District Forest Officer,
Villupuram Division,
Villupuram.

Copy to: The Conservator of Forests, Viluppuram Circle, Viluppuram.

Copy to: Reliance Jio Infocomm Limited, Chennai.

-//T.C/B.O//-

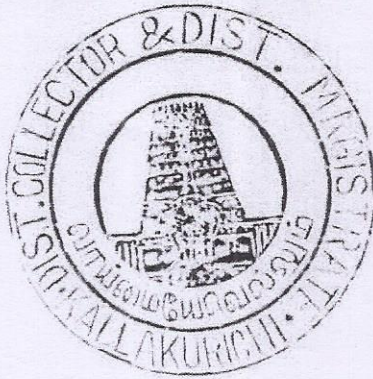
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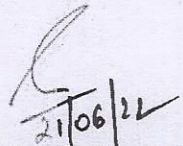
Ref.No.B7/2527/2021
Date: 21.06.2022

Office of the District Collector,
Kallakurichi District.
Kallakurichi.

CERTIFICATE

Certified that no alternate lands other than this forest land is available for the proposed OFC laying road passing from Maiyanur to Thondananthal road section across Melpalangur R.F. of Kallakurichi District.




21/06/22
District Collector
Kallakurichi District.


21.6.22

FORM - I
[for linear projects]
Government of Tamil Nadu
Office of the District Collector, Kallakurichi

Ref.No. B7/2527/2021

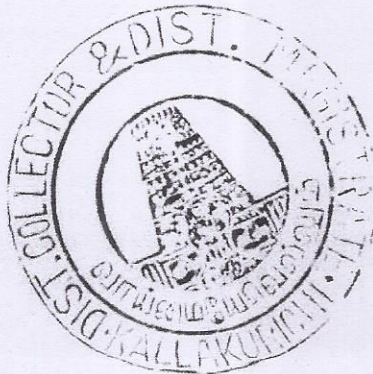
Dated: 21.06.2022

TO WHOMSOEVER IT MAY CONCERN

In compliance of the Ministry of Environment and Forests (MoEF), Government of India's Letter No.11-9/98-FC (pt.) dated 3rd August 2009 wherein the MoEF issued guidelines on submission of evidences for having initiated and completed the process of settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 ('FRA, for short) on the forest land proposed to be diverted for non-forest purpose read with MoEF's letter dated 5th February 2013 wherein MoEF issued certain relaxation in respect of linear projects, it is certified that 0.054 hectares of forest land proposed to be diverted in favour of Reliance Jio Infocomm Limited for erection of OFC in the existing Maiyanur to Thondananthal road section across Melpalangur R.F. of Kallakurichi District.

It is further certified that:

- I. The complete process for identification and settlement of rights under the FRA has been carried out for entire 0.054 hectares of forest area proposed for diversion.
- II. Certified that there are no Scheduled Tribes and Other Traditional Forest Dwellers in Melpalangur R.F. of Sangarapuram Taluk, Kallakurichi District and consequently no claims have been received under this Act with respect to the area proposed for erection of OFC in the existing road section.
- III. Certified that there are no Primitive Tribal Groups (PTG) and Pre-Agricultural Communities, (PAC) in the Melpalangur R.F. of Sankarapuram Taluk, Kallakurichi District. So, the recognized rights of PTG and PAC are not affected.



21/06/22 2/5
District Collector,
Kallakurichi District.

21/6/22