

Government of West Bengal
Directorate of Forests
Office of the Principal Chief Conservator of Forests, Head of Forest Force
Aranya Bhawan, Block: LA-10A, Salt Lake City, Sector – III, Kolkata:: 700 106
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Visit us at: www.westbengalforest.gov.in

No. / L & LT/2M-78/2022

Dated: 1.06.2023.

To : The Additional Chief Secretary to the Govt. of West Bengal,
Department of Forest.

Sub.: Proposal for diversion of 0.01 ha. of forest land in favour of Reliance Jio Infocomm Ltd. for installation of Mobile Tower at Dungdungia-2 Compartment, Lepchajagat Beat, Ghoomsimana Range under Darjeeling Forest Division.
(Proposal No. FP/WB/Others/34346/2018).

Ref. : Govt. of India, MoEF & CC, Integrated Regional Office, Kolkata accorded Stage-I/In-principle approval vide File No. IRO/KOL/WB/Others/34346/2018/455 dated 04.11.2022 (copy enclosed).

Sir,

The Project at under Darjeeling Forest Division (Proposal No. FP/WB/Others/34346/2018) has been granted Stage-I/In-principle approval vide reference cited above. The conditions as detailed in the Stage-I/In-principle approval has been complied with and submitted online on the Parivesh portal.

It is, therefore, requested the same may be forwarded to Integrated Regional Office/Kolkata for grant of Stage-II approval please.

Yours faithfully,

K 1/6/23
Addl. Principal Chief Conservator of Forests &
Nodal Officer, FCA

Encl.: As stated above.

No. / L & LT/2M-78/2022

Dated: 1.06.2023.

Copy forwarded for information and necessary action, to :-

1. The Chief Conservator of Forests, Hill Circle, W.B.
2. The Divisional Forest Officer, Darjeeling Forest Division.
3. The ROW LEAD, JIO Digital Fibre Private Limited, Tower-II, 18th Floor, Godrej Water Side Building, Sec-V, Salt Lake, Kolkata, Pin-700091.

1/6/23
Addl. Principal Chief Conservator of Forests &
Nodal Officer, FCA



Government of West Bengal
Directorate of Forests
Office of the Divisional Forest Officer
Darjeeling Forest Division
Barakakjhora, D.B.Giri Road
Darjeeling 734101 West Bengal.



Telefax 03542252159. Email: dfodarj@gmail.com, dfodar-wb@nic.in

No. 644/8-84

Dated, Darjeeling, 1/06/22

From : Divisional Forest Officer,
Darjeeling Forest Division.

To : Nodal Officer, Forest Conservation Act, West Bengal.

Sub : Proposal for diversion of 0.01ha forest land in favour of Reliance Jio Infocom Ltd.
for installation of mobile tower at Dungdungia-2 compartment ,Lepchajagat Beat
Ghoomsimana Range (Proposal No. FP/WB/OTHERS/34346/2018)

Ref : In-Principle approval granted by Inspector General of Forests(C),Ministry of
Environment, Forest & Climate Change,Integrated Regional Office,Kolkata's memo no.
IRO/KOL/WB/Others/34346/2018 dt. 4th November/2022.

Madam,

With reference to the communication quoted above, kindly find herewith para-wise compliance report with comments as stipulated in the Stage-I conditions based on the User agency's report in respect of the above mentioned project for your kind information & needful action.
Encl: as stated above.

Divisional Forest Officer
Darjeeling Forest Division

No. 644/8-84

Copy forwarded for information to :

Dated 1/06/22

- 1) The Chief Conservator of Forests,Hill Circle, West Benga.

Divisional Forest Officer
Darjeeling Forest Division

A. Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

Sl. No.	Conditions	Compliance by User Agency.	DFO's comment.
1.	The user agency shall transfer the cost of raising and maintain the compensatory afforestation (0.02ha with 100 trees plantation and maintenance for 10 yrs) at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal.	Necessary payment has been made against DN No.1655/8-89 dated 19-Dec-2022 of DFO Darjeeling amounting of Rs 85,813/- through NEFT(Paid A/C no. 1509119934346122, transaction reference no. NO60232351820737 through NEFT which is included in the same DN	Complied by user agency.
2.	The State Government shall charge the Net Present Value(NPV) for 0.01ha forest area to be diverted under this proposal from the User Agency as per the order of the Hon'ble Supreme court of India dt. 30.10.2022, 01.08.2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No.566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letter no. 5-1/1998-FC(P.II) dated 8/09/2003 as well as letter no. 5-2/2006-FC dated 03/10/2006, 5-3/2007-FC dated 05.02.2009 and 5-3/2011-FC (vol II) dated 19.01.2022 in this regard.	Necessary payment has been made against DN No.1655/8-89 dated 19-Dec-2022 of DFO Darjeeling amounting of Rs 85,813/- through NEFT(Paid A/C no. 1509119934346122, transaction reference no. NO60232351820737 through NEFT which is included in the same DN	Complied by user agency.
3.	All the funds received from the User agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (https://parivesh.nic.in)	Funds submitted in the CAMPA Account no. 1509119934346122 transaction reference no. NO60232351820737	Complied by user agency. Deposited in CAMPA fund through e-portal by User agency.
4	The complete compliance of FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.	FRA Clearance Certificate received on 18 th May 2022 uploaded in Parivesh Portal.	Complied and uploaded in Parivesh portal by User Agency.
5	The details of employment are likely to be generated due to the project may be submitted.	120 mandays will be generated during the execution phase of the project.	Details has been provided by the User Agency
6.	Violation of an of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of comprehensive Guidelines of Forest (Conservation) Act 1980 as issued by this Ministry's letter no. 5-2/2017-FC dated 28.03.2019.	We agree with this condition against any violation of Forest Act.	The User agency has agreed with the condition. No such violation noticed. Any violations will be monitored.
7.	The compliance report shall be uploaded on e-portal(https://parivesh.nic.in)	The compliance report has been uploaded in parivesh by user agency.	Complied.


 Divisional Forest Officer
 Darjeeling Forest Division

B. Conditions which need to be strictly complied on the field after handing over of forest land to the User Agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to State-II approval:

Sl. No.	Conditions	Compliance by User Agency.	DFO's Remarks..
1.	Legal status of forest land proposed for diversion shall remain unchanged.	The user agency has agreed that the legal status of 0.01ha forest land proposed for diversion will remain unchanged	Complied. Compliance will be monitored.
2.	Compensatory afforestation shall be taken up by the Forest Department over 0.02ha degraded forest land(Minimum 100 trees plantation at Location-Balasan, Range-Choom, Compartment No. 5 under Darjeeling Forest Division) at the cost of the user agency. as far as possible, a mixture of local native species shall be planted and monoculture of any species, especially non-native species should be avoided.	The User Agency has no role to play. Concern Forest Division may act accordingly.	An area of 0.02ha has been identified at Balasan-5 for planting 100 trees to maintain the green cover at the project cost as far as possible, a mixture of local native species shall be planted and monoculture of any species, especially non-native species will be avoided.
3	The boundary of the diverted forest land shall be suitable demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.	User Agency has no role to play. Concerned Forest Division may act accordingly.	Will be complied. Demarcation will be done on project cost.
4	Wherever possible and technically feasible, the User Agency shall under take appropriate afforestation or vegetation enrichment measures near the site(s) related to the area diverted under this approval, in consultation with the State Forest Department at the project cost.	User Agency has agreed appropriate afforestation or vegetation enrichment measures near the site(s) related to the area diverted under this approval in consultation with the State Forest Department at the project cost.	Complied. Will be monitored.
5	The lay out plan of the proposal shall not be changed without prior approval of the Central Government.	User Agency has agreed that the lay out plan of the proposal shall not be changed without prior approval of the Central Government.	Compliance will be monitored.
6	(a) The User Agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna. (b) Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency. (c) No labour camp shall be established on the forest land. (d) The User Agency shall provide alternate fuels preferable LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.	User Agency has agreed and ensured for the compliance of the conditions in respect of sl no. (a) to (d).	Compliance will be monitored.

7	(a) The forest land shall not be used for any purpose other than that specified in the Project proposal. (b) The period of diversion under this approval shall be co-terminus with the period of the temporary use of the land. (c) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies department or person without prior approval of Central Government.	User Agency has agreed and ensured for compliance of the the conditions in respect of sl no. (a) to (c).	Compliance will be monitored
8.	Any other conditions that the Ministry of Environment, Forest and Climate change may stipulate from time to time in the interest of conservation protection and development of forest and wildlife.	User Agency has agreed to comply all the conditions stipulated by the Ministry of Environment, Forest & Climate change.	Compliance will be monitored

Divisional Forest Officer
Darjeeling Forest Division

**Compliance of Condition(A &B) as laid down by IRO Kolkata for Stage-I Clearance of Kalijhora-
Mahaldiram Vide Ref No - FP/WB/Others/34346/2018 & IRO Ref No:
IRO/KOL/WB/Others/34346/2018/455 dated 4th November 2022**

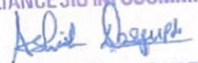
Form-A

In-Principal Approval Para	User Agency Reply
1. The User agency shall transfer the cost of raising and maintain the compensatory afforestation (0.2 Ha with 100 trees plantation and maintenance for 10 years) at the current wage rate in consultation with State Forest Department in the account of CAMPA of the concerned State through online portal	Necessary payment has been made against DN No 1655/8-89 dated-19-Dec-2022 of DFO Darjeeling amounting of RS. 85,813/- though NEFT ((Paid A/C no- 1509119934346122, transaction reference no.N060232351820737 though NEFT which is included in the same DN
2. The State Government shall charge the Net Present Value (NPV) for the 0.764 ha forest area to be diverted under this proposal form the User Agency as per the order of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2013, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP(C) No. 202/1995 and as per the guidelines issued by the Ministry vide letter No. 5-1/1998-FC(Pt.II) dated 08/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006, 5-3/2007-FC dated 05/02/2009 and 5-3/2011-FC(vol-I) dated 19/01/2-22 in this regard.	Necessary payment has been made against DN No 1655/8-89 dated-19-Dec-2022 of DFO Darjeeling amounting of RS. 14,366.70/- though NEFT ((Paid A/C no- 1509119934346122, transaction reference no.N060232351820737 though NEFT which is included in the same DN
3. All the funds received form the User Agency under the project shall be transferred/deposited to CAMPA fund only through e-portal (https://parivesh.nic.in)	Funds Submitted in the CAMPA Account no- 1509119934346122, transaction reference no. N060232351820737
4. The Complete Compliance of FRA 2006 shall be ensured by way of prescribed certificate from the concern District Magistrate	FRA Clearance Certificate received on 18th May 2022 uploaded in Parivesh Portal.
5. The Details of employment are likely to be generated due to the project may be submitted	120 Man days will be generated during the Execution Phase of the Project
6. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.11 of chapter 1 of the Handbook of Comprehensive Guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No. 5-2/2007-FC dated 28.03.2019	We agree with this condition against any violation of Forest Act.
7. The Compliance report shall be uploaded on e-Portal (https://parivesh.nic.in)	Yes

Form-B

In-Principal Approval Para	User Agency Reply
1. Legal status of forest land proposed diversion shall remain unchanged	Agree
2. Compensatory afforestation shall be taken up by the forest dept over 1.53 ha degraded forest land (Location- Pathar Hirhira Block, Ghosh Pukur Range under Kurseong Forest Division) at the cost of the user agency. As far as possible, a mixture of local native species shall be planted and monoculture of any species, especially non-native species should be avoided.	User Agency has got no role to play. Concern Forest Division may act accordingly.

3. The Boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the direction of concern divisional forest officer.	User Agency has got no role to play. Concern Forest Division may act accordingly.
4. Wherever possible and technically feasible, the user agency shall undertake appropriate afforestation or vegetation enrichment measuring near sites related to the area diverted under the proposal in consultation with the state forest Dept at the project Cost.	Agreed
5. The lay out plan of the proposal shall not be changed without prior approval of the central government.	Agreed
6. A) The User Agency shall ensure that the labours and staff engaged in construction activity do not damage the nearby forest flora & fauna	Agreed & ensured
B) Earth & any other materials shall not be brought from and debris resulting during construction shall not be disposed of in the adjoin forest areas by the User Agency.	
C) No Labour Camp shall be established in the Forest land.	
D) The User agency shall provide alternate fuel preferably LPG to the labour & the staff working at the site so as to avoid any damage and pressure on the nearby forest area.	
7. A) The Forest land shall not be used for any purpose other than that specified in the project proposal.	Agreed & ensured
B) The period of diversion under this approval shall be co-terminus with the period of temporary use of the land.	
C) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or persons without prior approval of Central Govt.	
8. Any other conditions that the Ministry of Environment, Forest & Climate Change may stipulate from time to time in the interest of conservation, protection & development of Forest & Wild Life.	Agreed.

RELIANCE JIO INFOCOMM.LTD.

 AUTHORISED SIGNATORY



भारत सरकार/Government of India
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
Ministry of Environment, Forest & Climate Change
एकीकृत क्षेत्रीय कार्यालय, कोलकाता/ Integrated Regional Office, Kolkata
IB-198, Sector – III, Salt Lake City, Kolkata-700106
E-mail: iro.kolkata-mefcc@gov.in



File No.IRO/KOL/WB/Others/34346/2018/455 Date 4th November 2022

To,

The Addl. Chief Secretary,
Department of Forests,
Government of West Bengal,
Aranya Bhawan, Block-LA, 10-A, Sector – III,
Salt Lake City, Kolkata – 700106.

Sub: In-principle (Stage-I) approval of Central Government under Forest (Conservation) Act 1980 for diversion of 0.01 ha of forest land in favour of Reliance Jio Infocom Ltd. for installation of mobile tower at Dungdungia-2 compartment, Lepchajagat Beat, Ghoomsimana Range under Darjeeling Forest Division in West Bengal - reg.

Sir,

This refers to letter No.1534-For/O/L/10T-27/2022 dated 21.10.2022 of the State Government, West Bengal on the above-mentioned subject seeking prior approval of the Ministry of Environment, Forest & Climate Change under section 2 of Forest (Conservation) Act, 1980.

After due consideration of the proposal of the State Government, the Ministry of Environment, Forest & Climate Change hereby conveys '**Stage-I/in-principle**' approval for of 0.01 ha of forest land in favour of Reliance Jio Infocom Ltd. for installation of mobile tower at Dungdungia-2 compartment, Lepchajagat Beat, Ghoomsimana Range under Darjeeling Forest Division in West Bengal, West Bengal subject the following conditions and stipulations:

A: Conditions which need to be complied prior to handing over of forest land by the State Forest Department.

1. The user agency shall transfer the cost of raising and maintain the compensatory afforestation (0.02 ha with 100 trees plantation and maintenance for 10 years) at the current wage rate in consultation with

State Forest Department in the account of CAMPA of the concerned State through online portal.

2. The State Government shall charge the Net Present Value (NPV) for the 0.01 ha forest area to be diverted under this proposal from the User Agency as per the order of the Hon'ble Supreme Court of India dated 30/10/2002, 01/08/2003, 28/03/2008, 24/04/2008 and 09/05/2008 in IA No. 566 in WP (C) No. 202/1995 and as per the guidelines issued by the Ministry vide letter No. 5-1/1998-FC(Pt.II) dated 8/09/2003, as well as letter No. 5-2/2006-FC dated 03/10/2006, 5-3/2007-FC dated 05/02/2009 and **5-3/2011-FC(vol-I) dated 19/01/2022** in this regard.
3. All the funds received from the user agency under the project shall be transferred / deposited to CAMPA fund only through **e-portal** (<https://parivesh.nic.in>).
4. The complete compliance of the FRA, 2006 shall be ensured by way of prescribed certificate from the concerned District Collector.
5. The details of employment are likely to be generated due to the project may be submitted.
6. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as prescribed in para 1.21 of Chapter 1 of the Handbook of Comprehensive Guidelines of Forest (Conservation) Act, 1980 as issued by this Ministry's letter No.5-2/2017-FC dated 28.03.2019.
7. The compliance report shall be uploaded on **e-portal** (<https://parivesh.nic.in>).

B: Conditions which need to be strictly complied on field after handing over of forest land to the User Agency by the State Forest Department but the compliance in form of undertaking shall be submitted prior to Stage-II approval:

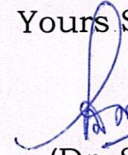
1. Legal status of forest land proposed for diversion shall remain unchanged.
2. Compensatory afforestation shall be taken up by the Forest Department over 0.02 ha degraded forest land (Minimum 100 trees plantation at Location- Balason, Range – Ghoom, Compartment No.5 under Darjeeling Forest Division) at the cost of the user agency. As far as possible, a mixture of local native species shall be planted and monoculture of any species, especially non-native species should be avoided.
3. The boundary of the diverted forest land shall be suitably demarcated on ground at the project cost, as per the directions of the concerned Divisional Forest Officer.
4. Wherever possible and technically feasible, the User Agency shall undertake appropriate afforestation or vegetation enrichment measures near the site(s) related to the area diverted under this approval, in consultation with the State Forest Department at the project cost.
5. The lay out plan of the proposal shall not be changed without prior approval of the Central Government.
6. (a) The User Agency shall ensure that the labourers and staff engaged in construction activity do not damage the nearby forest flora and fauna.
(b) Earth or any other material shall not be brought from and debris resulting during construction shall not be disposed of in the adjoining forest area by the user agency.
(c) No labour camp shall be established on the forest land.
(d) The User Agency shall provide alternate fuels preferably LPG to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas.
7. (a) The forest land shall not be used for any purpose other than that specified in the Project proposal.
(b) The period of diversion under this approval shall be co-terminus with the period of the temporary use of the land.

(c) The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Central Government.

8. Any other conditions that the Ministry of Environment, Forest & Climate change may stipulate from time to time in the interest of conservation, protection and development of forest and wildlife.

After receipt of the compliance report from the State Government regarding due compliance and fulfillment of the above conditions as stipulations, formal approval will be issued in this regard under Section 2 of Forest (Conservation) Act, 1980. **Transfer of forest land by the State Government to the user agency should not be given effect to till formal order approving diversion of forest land is issued by the Central Government.**

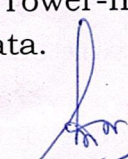
Yours Sincerely,


(Dr. Soma Das)

Inspector General of Forests (C)

Copy to:-

1. The IGF(ROHQ), Ministry of Environment, Forests and Climate Change, Indira Paryavaran Bhawan, Jor Bagh Road, New Delhi – 110 003.
2. The Principle Chief Conservator of Forest & HoFF, Department of Forests, Government of West Bengal, Aranya Bhawan, Salt Lake City, Kolkata, 700098.
3. The APCCF cum Nodal Officer (FCA), Department of Forest, Department of Forests, Government of West Bengal, Aranya Bhawan, Salt Lake City, Kolkata, 700098.
4. The Divisional Forest Officer, Darjeeling Forest Division, West Bengal.
5. The ROW LEAD, JIO Digital Fibre Private Limited, Tower-II, 18th Floor, Goodrej Water Side Building, Sec-V, Salt Lake, Kolkata.
6. Guard file


Inspector General of Forests (C)