

GOVERNMENT OF TELANGANA
ABSTRACT

T.S. Forest (Conservation) Act, 1980 – Diversion of forest land to an extent of **0.813 ha** in Asifabad forest division under Komaram Bheem-Asifabad District for laying of Optical Fibre Cable along the road and within the existing Right of Way in favour of M/s Jio Digital Fibre Private Limited (earlier M/s Reliance Jio Infocomm Limited) – **In-principle (Stage.I) approval** accorded – Orders – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (FOR.I) DEPARTMENT

G.O.Rt.No. 52

Dated: 01-04-2022

Read the following:-



1. Government of India, MoEF & CC, New Delhi, Lr.F.No.5-2/2017-FC, dated.28-03-2019.
2. Minutes of the 2nd reconstituted meeting of State Board for Wildlife held on 05.10.2020 at 11.00 AM.
3. From the PCCF, Hyd.,Ref.No.283/2019/FCA-1,dt.02.11.2019 & 15.12.2020.

ORDER:

In the letter 3rd read above, the Principal Chief Conservator of Forests, Telangana State, Hyderabad has submitted a proposal under section-2 of Forest (Conservation) Act, 1980, for diversion of forest land to an extent of **0.813 ha** in Asifabad forest division under Komaram Bheem-Asifabad District for laying of Optical Fibre Cable along the road and within the existing Right of Way in favour of M/s Jio Digital Fibre Private Limited (earlier M/s Reliance Jio Infocomm Limited).

2. The proposal has been examined with reference to the guidelines issued by the Government of India in the letter 1st read above.

3. Government after careful examination of the proposal and in exercise of the powers delegated to State Government in the guidelines issued by Government of India in the letter 1st read above, hereby accord **in-principle (Stage.I) approval** for diversion of forest land to an extent of **0.813 ha** in Asifabad forest division under Komaram Bheem-Asifabad District for laying of Optical Fibre Cable along the road and within the existing Right of Way in favour of M/s Jio Digital Fibre Private Limited (earlier M/s Reliance Jio Infocomm Limited), subject to compliance of the following conditions:

- i. The legal status of the forest land shall remain unchanged;
- ii. **Demarcation of the forest land diverted:** The State Forest Department shall carry out demarcation of the proposed forest area by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of the User Agency and cost for which shall be deposited by the User Agency with the forest department as assessed by the concerned District Forest Officer/ Forest Divisional Officer;
- iii. **Net Present Value:**
 - a) The State Government shall charge the Net Present Value (NPV) for the **0.813 ha** forest area to be diverted under this proposal from the User Agency as per the orders 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 letters No.5-1/1998-FC (Pt.II) dated 18/09/2003, as well as letter No.5-2/2006-FC dated 03/10/2006 and 5-3/2007-FC dated 05/02/2009 in this regard;

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b) Additional amount of the NPV of the diverted forest land, if any, becoming due after finalization of the same by the Hon'ble Supreme Court of India on receipt of the report from the Expert Committee, shall be charged by the State Government from the User Agency. The User Agency shall furnish an undertaking to the effect;

- iv. **No tree felling and branch cutting shall be carried out by the User agency;**
- v. User Agency shall fulfil the conditions stipulated in Part II, Part III and Part IV and also covering letters, inspections notes of the proposals;
- vi. The depth of the trench shall not be more than 2 m and width shall not be more than 0.4 m and after laying down of optical fibre cable the ground shall be levelled. The cable line should be laid atleast one meter below the ground;
- vii. Disturbance should be kept minimum by creating labour camps outside the forest areas and it will be responsibility of the User Agency to ensure that the labourers and staff engaged in execution of work do not destruct nearby forest flora and fauna. No labour camp shall be established on the forest land;
- viii. Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel;
- ix. The layout plan of the proposal shall not be changed without prior approval of Central Government
- x. The muck generated in the earth cutting if any, will be disposed off at the designated sites and in no case the muck/ debris will be disposed off in the forest area by the User Agency'
- xi. The forest land shall not be used for any purpose other than that specified in the project proposal;
- xii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of competent authority;
- xiii. Any other condition that the Ministry of Environment, Forests & Climate Change, Government of India as well as State Forest Department/ PCCF(HoFF) may stipulate from time to time in the interest of conservation, protection and development of forests & wildlife, shall be complied by the User Agency;
- xiv. The total forest area utilized for the project shall not exceed **0.813 ha** and the forest land shall not be used for any purpose other than that specified in the proposal;
- xv. The User Agency to make good the land after use/ maintenance;
- xvi. The User Agency to make good any loss to forests / environment;
- xvii. The User Agency should take permission for carrying out any maintenance;
- xviii. Work should be carried out during day time only;

- xix. The User Agency and the State Government shall ensure compliance of all the Court orders, provisions, rules, regulations and guidelines for the time being in force as applicable to the project;
- xx. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).
- xxi. Violation of any of these conditions will amount to violation of Forest (Conservation) Act, 1980 and action would be taken as per the MoEF&CC, Guidelines F.No.11-42/2017-FC, Dt.29.01.2018 and as per F.No.5-2/2017, Dt.28.03.2019.
- xxii. Transfer of forest land to the user agency shall not be affected prior to the issue of final approval. This approval shall be valid for a period of 5 years. In the event of non compliance of the above conditions, the approval accorded automatically stand revoked after five years.
- xxiii. This proposal has obtained the approval from State Board for Wildlife in the Minutes of 2nd Meeting held on 05.10.2020.

After receipt of the compliance report of the above conditions, the proposal will be considered for final approval.

4. The Principal Chief Conservator of Forests (HoFF), Telangana State, Hyderabad, is therefore, directed to take further necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

A.SANTHI KUMARI,
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To
✓ The Principal Chief Conservator of Forests (HoFF),
Telangana State, Hyderabad.

Copy to:

The Director General, Government of India, Ministry of Environment & Forests and Climate Change (Forest Conservation Division), Indira Paryavaran Bhawan, Aliganj, Jorbagh Road, New Delhi 110 003.

The Regional Officer(Central),
Integrated Regional Office, Hyderabad,
Aranya Bhavan, Opposite Reserve Bank of India,
Saifabad,Hyderabad - 500004(w.e.)

The Addl. Prl. Chief Conservator of Forests (C), Government of India, Ministry of Environment, Forests & Climate Change, Regional Office (South Eastern Zone), 1st & 2nd floor, HEPC Building, No.34, Cathedral Garden Road, Nungambakkam, Chennai - 600034 (w.e.)

The M/s jio Digital Fibre Private Limited (earlier M/s Reliance Jio infocomm Ltd., 204, Lake Shore Towers, Raj Bhavan Road, Somajiguda, Hyderabad - 500 082.

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//FORWARDED:: BY ORDER//


SECTION OFFICER