

Government of India
Ministry of Environment, Forest and Climate Change
(Forest Conservation Division)

Indira Paryavaran Bhawan,
Jor Bag Road, Aliganj,
New Delhi – 110003
Dated: As per E-sign

To,

The Principal Secretary (Forests),
Government of Maharashtra,
Mumbai.

Subject: Diversion of 0.28 ha of forest land for construction of underground Optical Fiber Cable for High speed broadband connectivity of Gram Panchayat in Mulshi Block of Pune District in favour of Bharat Sanchar Nigam Limited in the State of Maharashtra (FP/MH/OFC/14575/2021) – regarding.

Madam/Sir,

I am directed to refer the Government of Maharashtra's letter No FLD-1923/C.R.229/F-10 dated 02.02.2024 on the above subject seeking prior approval of the Central Government under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and to say that the proposal has been examined by the Advisory Committee constituted by the Central Government under Section-3 of the aforesaid Act.

After careful examination of the proposal of the State Government & on the basis of the recommendations of the Advisory Committee and with due approval of the competent authority, the Central Government hereby accords "**In-principle/Stage-I**" approval under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for diversion of 0.28 ha of forest land for construction of underground Optical Fiber Cable for High speed broadband connectivity of Gram Panchayat in Mulshi Block of Pune District in favour of Bharat Sanchar Nigam Limited in the State of Maharashtra subject to fulfilment of the following conditions:

- i. Legal status of the diverted forest land shall remain unchanged;
- ii. *The penalty for violation shall be five times the NPV for the area used in violation plus 12% simple interest from the date of raising of such demand till the deposit is made;*
- iii. *The UA shall make necessary payment towards raising and maintaining the plantation of 10 times the trees to be felled i.e. 28x10=280 trees;*
- iv. *Keeping in view the fact that a small portion of the area is within WLS, state shall ensure that the necessary permission as applicable under WLPA 1972 is obtained;*
- v. The User Agency shall transfer the funds towards the cost of Net Present

Value (NPV) of the forest land being diverted under this proposal in accordance with the MoEF&CC's guidelines dated 6.01.2022 read with guidelines dated 19.01.2022;

- vi. At the time of payment of the Net Present Value (NPV) at the present rate, the user agency shall furnish an undertaking to pay the additional amount of NPV, if so determined, as per the final decision of the Hon'ble Supreme Court of India;
- vii. The State Government shall upload the KML files of the area under diversion in the e-Green watch portal of FSI, before handing over forest land to the user agency;
- viii. All the funds received from the user agency under the project shall be transferred/deposited in CAMPA account only through e-portal (<https://parivesh.nic.in/>); Amount deposited through other mode will not be accepted as compliance of the Stage-I clearance;
- ix. The User Agency, if required, shall obtain the environment clearance under the Environment Impact Assessment Notification, 2006 issued under the Environmental (Protection) Act; 1986;
- x. No labour camp shall be established on the forest land and the User Agency shall provide firewood preferably alternate fuels to the labourers and the staff working at the site so as to avoid any damage and pressure on the nearby forest areas;
- xi. The boundary of the diverted forest land shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;
- xii. The forest land shall not be used for any purpose other than that specified in the proposal;
- xiii. The User Agency shall ensure that because of this project, no damage is caused to the wildlife available in the area;
- xiv. The user agency shall explore the possibility of translocation of maximum number of trees identified to be felled and shall ensure that any tree felling shall be done only when it is unavoidable and that too under strict supervision of the State Forest Department;
- xv. The cost of felling of trees shall be deposited by the User Agency with the State Forest Department;
- xvi. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
- xvii. The forest land proposed to be diverted shall under no circumstances be transferred to any other agency, department or person without prior approval of the Central Government;
- xviii. The user agency in consultation with the State Government shall create and maintain alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nests artificially made out of eco-friendly material shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;
- xix. The User Agency shall implement the R & R Plan, if applicable, as per the R & R Policy of State Government in consonance with National R&R Policy, Government of India before the commencement of the project work and implementation. The said R & R Plan will be monitored by the State

Government/Regional Office of MoEF&CC;

- xx. The User Agency shall submit the annual self-compliance report in respect of the above stated conditions to the State Government, concerned Regional Office and to this Ministry by the end of March every year regularly;
- xxi. Any other condition that the concerned Regional Office of this Ministry may stipulate with the approval of competent authority in the interest of conservation, protection and development of forests & wildlife;
- xxii. The State Government, before issuing the final diversion order, shall ensure that the user agency has complied with all the provisions of the all Acts, Rules, Regulations, Guidelines, Hon'ble Court Order (s) and NGT Order (s), including compliance of Forest Rights Act, 2006, pertaining to this project, for the time being in force, as applicable to the project; and
- xxiii. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 and action would be taken as prescribed in para 1.16 of Chapter 1 of the Consolidated Guidelines and Clarifications on Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980 as issued by this Ministry's letter dated 29.12.2023;
- xxiv. The compliance report shall be uploaded on e-portal (<https://parivesh.nic.in/>).

After receipt of compliance report on fulfilment of the conditions mentioned above, the proposal shall be considered for final approval under section 2 (1) (ii) of the Van (Sanrakshan Evam Samvardhan) Adhinyam, 1980. Transfer of forest land shall not be affected till final approval is granted by the Central Government in this regard.

Signed by

Suneet Bhardwaj

Date: 18-09-2024 13:58:53

Yours sincerely,

(Suneet Bhardwaj)

Assistant Inspector General of Forests

Copy to:

1. The PCCF (HoFF), Department of Forest, Government of Maharashtra, Nagpur;
2. The Dy. DGF (Central), Regional Office, MoEF&CC, Nagpur;
3. The Nodal Officer, Department of Forest, Government of Maharashtra, Nagpur;
4. User Agency;
5. Monitoring Cell, FC Division, MoEF&CC, New Delhi for uploading on PARIVESH portal.