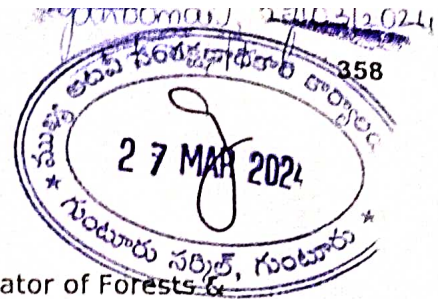


U340471/2024

File No.EFS02-15026/5/2019-FCA SEC-PCCF



GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

Rc.no.EFS02-15026/5/2019-FCA
SEC-PCCF/FCA-3,
Dated:22/03/2024

Office of the Prl.Chief Conservator of Forests &
Head of Forest Force, Andhra Pradesh,
Mangalagiri -522503.

Sri Chiranjiv Choudhray , I.F.S.,
Prl. Chief Conservator of Forests &
Head of Forest Force

Sub: APFD - Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980 and rules
2023 - Diversion of 1.27 ha forest land in Nellore, Venkatagiri, Udayagiri,
Kavali and Atmakur Ranges of Nellore Division for laying optical fibre cable
along the road within the Right of Way (RoW) in favour of M/s. Reliance Jio
Infocomm Ltd., for providing 4G Communication in the State of Andhra
Pradesh - Information called for - Reg.

- Ref:-
1. Online proposal no. FP/AP/OFC/38865/2019.
 2. PCCF & HoFF , A.p., Mangalagiri Rc. no. 15026/5/2019- FCA
SEC/PCCF/FCA-3, dated: 10.02.2020 & 21.08.2023.
 3. GOI,MoEF & CC, (sub office at Vijayawada) F.No.4-APB227/2024-
VIJ/214 dt.19.02.2024

A copy of the reference 3rd cited is sent herewith.

The Chief Conservator of Forests is requested to submit the detailed report
along with action taken report as called for by the Government in the reference
3rd cited for taking further action in the matter.

The issue may be treated as MOST URGENT and to be attended on TOP
PRIORITY.

Encl. As Above

Rahul Pandey I F S
for Prl. Chief Conservator of Forests
& Head of Forest Force

The Chief Conservator of Forests, Guntur for information and necessary action.

Copy to District Forest Officer, SPSR, Nellore for information.

Rc.no. 558/2019-70, dt. 21/4/2024.

Communicated to the DFO (G), Nellore for information
and immediately necessary action. He is requested to go through
the contents of the above letter and submit the detailed report as
called for by the Prl. Chief, for taking further action.

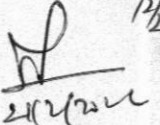
TO,
TWDF (G)
Nellore.

Chief Conservator of Forests
21/4/24, GUNTUR CIRCLE,
GUNTUR.

Digitally Signed by Rahul
Pandey I F S
Date: 22-03-2024 14:14:08
Reason: Approved

DESPATCHED

DATE 02/04/2024

o/n:- Received through mail on dt: 20/2/24
From PCCF & HOFF Sir. 



भारत सरकार
GOVERNMENT OF INDIA

पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS & CLIMATE CHANGE

Sub Office Vijayawada
Green House Complex, Gopal Reddy
Road, Vijayawada – 520010, Andhra
Pradesh
email: iro.vijayawada-mefcc@gov.in



F. No. 4-APB227/2024-VIJ/214

Date 19th February, 2024

To

The Special Chief Secretary to Government of Andhra Pradesh,
Environment, Forest, Science & Technology Department,
Andhra Pradesh Secretariat,
Velagapudi, Amaravathi-522503.

Subject: Diversion of 1.27 ha. of forest land in Nellore, Venkatagiri, Udayagiri, Kavali and Atmakur ranges of Nellore Division for laying Optical Fiber Cable along the road within Right of Way (RoW) in favor of M/s. Reliance JIO Infocomm Ltd., Visakhapatnam for providing 4G communication in the State of Andhra Pradesh-Reg.


Ref: MEF&CC, Sub Office, Vijayawada letter No. 4-APB200/2023-VIJ/165, dated 19.01.2024.

Sir,

The undersigned had inspected the proposed area for diversion of 1.27 ha mentioned in the subject and observed violation in Pudur Reserve Forest both by Vindhya Tele links and Reliance Jio as reported by the then DFO of Nellore and also reiterated by the DFO Tirupati of the violation occurred. In light of the above it was directed by the Ministry in the above-mentioned Reference to take action against the violators under Section 3A/3B of The Van Sanrakshan Evam Samvardhan Adhiniyam, 1980. It may be known

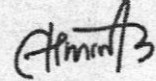
- Whether any proposal was processed for the works carried out by the previous agency (M/s Vindhya Telelinks Ltd mentioned in reference) , if so the status of it?
- whether the instant proposal was examined in view of the recent guideline w.r.t. violation provision

FCA-3


23/2/24

Encl: As mentioned above.

Yours faithfully,

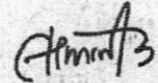


(Balaji Kari)

Assistant Inspector General of Forests (Central)

Copyto:

1. The Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forest Department, Aranya Bhavan, P.V.S. Land Mark, Ground Floor, Opposite to IHC Corporate, Industrial Park, Mangalagiri, Guntur District, Andhra Pradesh-522503.
2. The Principal Chief Conservator of Forests, Forest Department & HoFF, AP Forest Department, Aranya Bhavan, P.V.S. Land Mark, Ground Floor, Opposite to IHC Corporate, Industrial Park, Mangalagiri, Guntur District, Andhra Pradesh-522503.
3. Guard file.



(Balaji Kari)

Assistant Inspector General of Forests (Central)

1/63028/2024



भारतसरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FORESTS
& CLIMATE CHANGE
Sub Office of Regional Office Chennai
Green House Complex, Gopal Reddy Road
Vijayawada — 520010, Andhra Pradesh
email: iro.vijayawada-mefcc@gov.in



F.No.4-APB200/2023-VIJ/ 165
Date 19th January, 2024

To,

The Special Chief Secretary to the Government of Andhra Pradesh,
Environment, Forests, Science & Technology Department,
Government of Andhra Pradesh, Andhra Pradesh Secretariat,
Velagapudi, Amaravati Guntur District-522503.

Subject: Diversion of 0.52 ha. of forest land in Kanupuru East RF, Survepalli RF, Survepalli Extension RF of Nellore Range and Puduru & Yellasiri RF of Venkatagiri Range of Nellore Division for laying optical fibre cable by M/s. Vindhya Tele Links Ltd - Reg.

Sir,

I am directed to refer to State Government letter No.2845/Section-II/2022/1938670 dated 18.08.2023 on the above subject. In this regard, it is informed that the above proposal was examined in consultation with MoEF&CC, New Delhi and Ministry had directed that the action under 3A & 3B of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 shall be taken by the Regional Office before issuance of In-principle /Stage-I approval.

In view of the above, it is requested that the names of the erring officials who have been involved in the violation of Adhiniyam may kindly be furnished to this office for further action in the matter.

Yours faithfully,

— sd —

(Balaji Kari)

Assistant Inspector General of Forests (Central)

Copy to:

1. The Principal Chief Conservator of Forests, Forests Department & HoFF, AP Forest Department, AranyaBhavan, P.V.S. Land Mark, Ground Floor, Opposite to IHC Corporate, Industrial Park, Mangalagiri, Guntur District, Andhra Pradesh-522503
2. The Principal Chief Conservator of Forests/Nodal Officer (FCA), Office of the Principal Chief Conservator of Forests, Forests Department, AranyaBhavan, P.V.S. Land Mark, Ground Floor, Opposite to IHC Corporate, Industrial Park, Mangalagiri, Guntur District, Andhra Pradesh-522503

— sd —

(Balaji Kari)

Assistant Inspector General of Forests (Central)

8613014/2024/FCA -PCCF

4-APB200/2023-VIJ

I/63028/2024

Signed by Balaji Kari
Date: 19-01-2024 12:36:21
Reason: Approved

Site Inspection Report

Site Inspection of the proposal, FP/AP/OFC/38865/2019, Diversion of 1.27 ha. of forest land in Nellore, Venkatagiri, Udayagiri, Kavali and Atmakur ranges of Nellore Division (Tirupati Division after reorganization) for laying Optical Fiber Cable along the road within Right of Way (RoW) in favor of M/s. Reliance JIO Info comm Ltd., Visakhapatnam for providing 4G communication in the State of Andhra Pradesh - Forest Clearance under Forest (Conservation) Act, 1980, was done by the undersigned on 02.02.2024 along with Sri Sateesh, DFO Tirupati, Sri Gnana Prakash Rao, Sub DFO Venkatagiri and the Range staff and representatives of Reliance Jio Infocomm Ltd., where in the State Government had reported violation by the User Agency to an extent of 2006 running meters in Puduru Reserve Forest.

The following information was provided by the Forest Department Officials:

- A. The violation of FCA came to light when on 27/03/2020 the Deputy Range officer Naidupeta detected that the trench was dug in Puduru RF along with Forest Beat Officer Chillamanur and Forest Beat Officer Naidupeta.
- B. When the issue came to light, on 27.03.2020, the Deputy range officer, Naidupeta registered a case vide UDOR No 32/19-20 in POR No. 2/33. On enquiry it came to light that the Cable was laid way back in 2018 by Vindhya Tele links Pvt Ltd and the department is of the opinion that both Reliance Jio and Airtel had committed the violation. During site inspection of Puduru Reserve Forest, the trench was dug taking due care to find the existence of the OFC cables. It is clearly evident that Vindhya Tele links have laid the duct and OFC, whereas the Reliance Jio had laid out duct but not OFC.
- C. This proposal was applied online with application No. FP/AP/OFC/38865/2019 for diversion of 1.27 ha. of forest land in the then Nellore Division, now Tirupati Division after bifurcation, in favour of M/s. Reliance Jio Infocomm Ltd., Visakhapatnam for laying Optical Fiber Cable (OFC) along the road within the existing Right of Way for providing 4G communication in the State of Andhra Pradesh as per the license granted.

Atmakur

From the inspection it is clear that the staff of the Range were not vigilant of the violation. It was concluded that the violation was done prior to March in 2018 but the case was registered only on 27th March, 2020. There was no information about the officer responsible for violation from the User Agency side. The forest Department officials mentioned that an area of 22 yards was excluded from the boundary of the Reserve Forest to the centre of the road in Yellasiri RF and the same area is not excluded in Pudur RF. Since the User Agencies, Vindhya tele links and Reliance Jio started digging the trench from Yellasiri RF and proceeded towards Pudur RF, since land is not excluded from the boundary of Reserve Forest to the edge of the road, violation had taken place in Pudur RF. After noticing the work in Pudur RF, the concerned Forest Range Officer has booked the case vide UDOR 32/2019-20, dated:27.03.2020 U/s 20(i), C(i) (iii) and (vi) of A.P. Forest Act, 1967. OFC cable was laid to a length of 2006 meters in a trench 0.5 m. depth and 0.5 m width which works out the quantity of 501.5 cu. earth work excavation was done and as per offense FSR, it's value was arrived at Rs. 2,64,290/-. Further, the work has been stopped since then and no further work has been carried out by the User agency after submitting proposals for diversion. Action will be taken against the concerned user agency as per the AP Forest Act, 1967. Therefore, no violation was done by the user agency after submitting the proposals for diversion U/S2 of Forest (Conservation) Act, 1980. The User Agency Reliance Jio Infocomm Ltd., had not deposited the amount as a penalty.

Action initiated on forest department officials:

1. As reported, the District Forest Officer Nellore had issued notices to the user agency in Rc.no.999/2019/H5, dt: 03.08.2021 for violation of Forest Conservation Act, 1980. Subsequently the work was stopped. Further, explanations memos were issued to the concerned field staff for violation of F(C) Act, 1980 in Rc.no.999/2019/H5, dated:03.08.2021.
2. There has been no reply from the staff for the memo served to them by the Divisional Forest Officer.

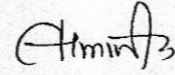
Submission made by the User Agency during the site inspection:

The representatives of the User Agency have submitted that the, violation is not done by them but by Vindhya Tele links Pvt Ltd. The UA agreed to abide by the decision of Forest Department for the above incident as per Rules and Regulations of Forest (Conservation) Act, 1980.

Amir

Recommendation:

As the User Agency carried out works in violation of FCA, 1980 over an extent of area under violation as reported in the proposal, it is not concluded by the forest department, which User Agency had first dug the trench to lay the pipeline. The violated / worked out area is properly covered by soil and since time passed, vegetation has come up on the alignment of trench. The proposal may be considered under Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and as per the recent guideline, the proposal may be forwarded to the Ministry for the directions of the Competent Authority.



Balaji Kari

Assistant Inspector General of Forests

Sub Office- Vijayawada

Plate: 1 Inspection of Yellasiri RF where 22 yards width is excluded from RF boundary and Reliance Jio Duct as well as OFC is laid.

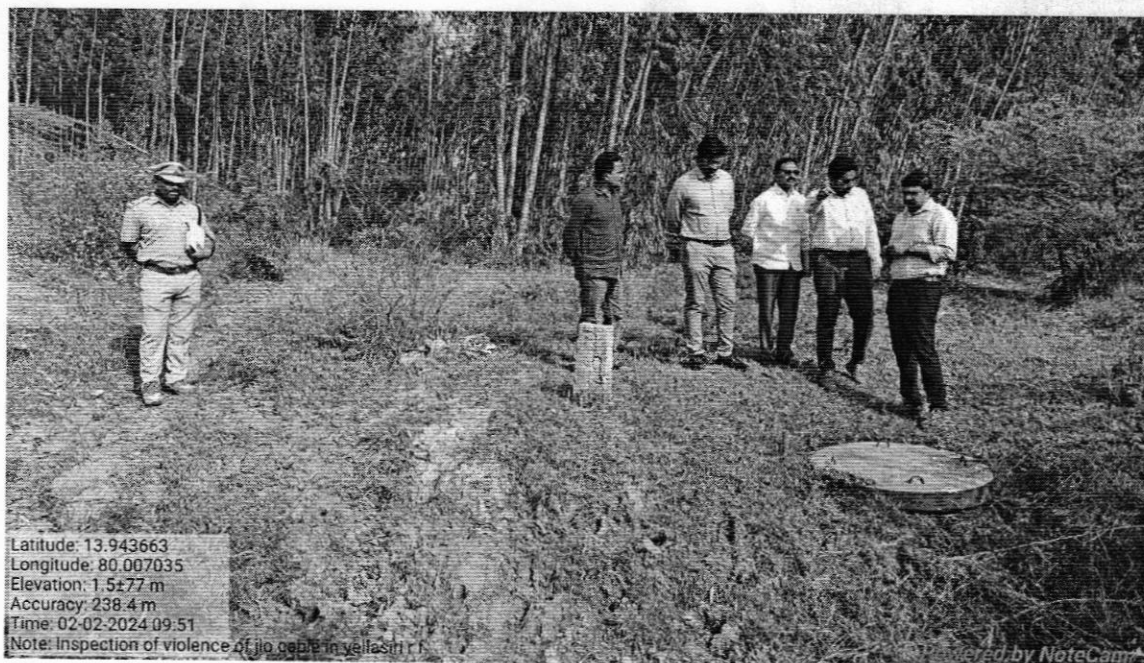


Plate: 2 Excavated pit in Pudur RF where width is not excluded, the orange duct with OFC of Vindhya Tele links and Blue coloured ducts of Reliance Jio (OFC not laid) is seen in the alignment.



Amir/3