

Diversion of 22.9648 ha. Forest land for installation of Polypropylene Unit at Rasayani and construction of underground petroleum products pipeline with OFC and its associated facilities from Mahul (Mumbai Suburban District) to Rasayani (Raigad District) in the State of Maharashtra.

Specific Recommendation of Principal Chief Conservator of Forests, (Head of Forest Force) Maharashtra State with regards to acceptance or otherwise of the proposal supported by reasons

The General Manager, Pipeline (Projects) Bharat Petroleum Corporation Ltd, 2nd Floor ERP Building, "A" Installation, Sewree Fort (East) Mumbai has submitted the proposal for diversion of 22.9648 ha. forest land for installation of Polypropylene Unit at Rasayani and construction of underground petroleum products pipeline with OFC and its associated facilities from Mahul (Mumbai Suburban District) to Rasayani (Raigad District) in the State of Maharashtra. Total non forest area involved in the project is 45.9246 ha. Details of Forest land involved in the project is as under :-

Sr. No	District	Taluka	Village	Details of Forest Land					
				Survey No.	Length (m)	Av. Width (m)	Area Sq. mt	Area in Hactare	Legal Status
1	Raigad	Panvel	Creek		980.77	56	54923.12	5.4923	Mangroves (Un -notified)
2	Raigad	Panvel	Creek	-	271.74	56	15217.44	1.5217	Mangroves (Un -notified)
3	Raigad	Panvel	Ulwe	100	219.95	56	8933.00	0.8933	Mangroves (Un -notified)
				98	3.15	56	1029.00	0.1029	Mangroves (Un -notified)
				97		56	953.00	0.0953	Mangroves (Un -notified)
				95	7.64 138.91	56 24	3758.00	0.3758	Mangroves (Un -notified)
				51	33.12	24	726.00	0.0726	Finally Acquired Private Forest
4	Raigad	Panvel	Sonkhar	1/3	99.90	56	3448.00	0.3448	Mangroves (Un -notified)
				1/5	In Rou	56	517.00	0.0517	Mangroves (Un -notified)
				1/8	22.11	56	1020.00	0.1020	Mangroves (Un -notified)
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				16/18	In Rou	24	134.00	0.0134	Mangroves (Un -notified)
				16/23	22.80	24	270.00	0.0270	Mangroves (Un -notified)
				16/22	13.75	24	228.00	0.0228	Mangroves (Un -notified)
				16/20	19.76	24	429.00	0.0429	Mangroves (Un -notified)
				16/19	In Rou	24	5.00	0.0005	Mangroves (Un -notified)
				16/21	6.00	24	327.00	0.0327	Mangroves (Un -notified)
				16/24	5.43	24	68.00	0.0068	Mangroves (Un -notified)
				15/2	In Rou	24	77.00	0.0077	Mangroves (Un -notified)
				15/4	14.59	24	332.00	0.0332	Mangroves (Un -notified)
				15/6	27.85	24	798.00	0.0798	Mangroves (Un -notified)
				15/11	45.91	24	1013.00	0.1013	Mangroves (Un -notified)
				15/10	45.84	24	871.00	0.0871	Mangroves (Un -notified)
				15/12	In Rou	24	51.00	0.0051	Mangroves (Un -notified)
				15/13	5.55	24	245.00	0.0245	Mangroves (Un -notified)
				15/14	In Rou	24	119.00	0.0119	Mangroves (Un -notified)
				20/5	in Rou	24	31.00	0.0031	Mangroves (Un -notified)
				20/1	48.20	24	924.00	0.0924	Mangroves (Un -notified)
				20/2	1.35	24	36.00	0.0036	Mangroves (Un -notified)
5	Raigad	Panvel	Owle	193	373.25	24	8991.00	0.8991	Section-4 R.F.
				173	100.11	24	1916.00	0.1916	Mangroves (Un -notified)
				174	42.50	24	1028.00	0.1028	Mangroves (Un -notified)
				175	41.45	24	1013.00	0.1013	Mangroves (Un -notified)
				Creek	62.11	24	1542.00	0.1542	Mangroves (Un -notified)
6	Raigad	Panvel	Paragaon Dungi	7	13.62	24	338.00	0.0338	Mangroves (Un -notified)
7	Raigad	Panvel	Karanjade	52/4	98.16	24	2355.84	0.2356	Restored Private Forest
				52/1	17.50	24	685.00	0.0685	Restored Private Forest
8	Raigad	Panvel	Sirdhon	115	488.00	24	11712.00	1.1712	Unclassed Forest
9	Raigad	Panvel	Somtane	132	119.00	24	3359.00	0.3359	Section-4 R.F.
10	Raigad	Panvel	Narpoli	R.F.	54.30	24	1531.00	0.1531	Reserved Forest
				173	269.75	24	6308.00	0.6308	Section-4 R.F.
11	Raigad	Panvel	Devlooli Budruk	99	225.96	24	5253.00	0.5253	Reserved Forest
Total (A) Alibag Division 151636.40								15.1636	
12	Mumbai Suburban	Kurla	Mahul	638 Part	56.00	10	560.00	0.0560	Mangrove including mudflat u/s.4 of IFA,1927
				638 Part	110.00	10	1100.00	0.1100	
				638 Part	100.15	10	1001.48	0.1001	
				638	200.89	40	8035.48	0.8035	

			Part					
			638 Part	252.07	56.00	14115.81	1.4116	
			638 Part	950.00	56.00	53200.00	5.3200	Mangroves (Un -notified)
Total (B) Mangrove Cell's							7.8013	
Grand Total (A+B)							22.9649	

Abstract

Name of Division	Legal Status of Land							
	Mangroves Un Notified	Finally Acquired Private Forest	Section -4 RF	Restored Private Forest	Unrlassed Forest	Mangroves including mudflat	Reserved Forest	Total
Alibag	11.0715	0.0726	1.8658	0.3041	1.1712	0.00	0.6784	15.1636
Mumbai Mangrove Conservation Unit	5.3200	0.00	0.00	0.00	0.00	2.4812	0.00	7.8013
Total	16.3915	0.0726	1.8658	0.3041	1.1712	2.4812	0.6784	22.9649

2. The User Agency has highlighted that Bharat Petroleum Corporation Limited owns and operates a 12 MMTPA Refinery at Mahul village Mumbai. This compact Refinery is the only Refinery in the country without evacuation of products by Rail. In order to debottleneck, expand/add value added products, BPCL is in the process of acquiring about 700 acres of land at Rasayani, Raigad District which is about 45 kms from the Mumbai Refinery. BPCL has planned to expand its pipeline network to cater the need of petroleum products in Western Maharashtra viz Raigad, Pune Amhednagar district. Pipeline transportation results in enhanced safety as there is minimum handling of products. The subterranean nature of the pipelines also makes them intrinsically safer than other modes of transportation. Ministry of Environment & Forests has recommended that all bulk quantities of Petroleum Products be transported through well-designed pipelines to minimize risks in transportation by rail and road. The proposed pipeline from BPCL Mumbai Refinery to Rasayani with the capacity proposed is given below :-

Ser No	Product	Pipeline size	Capacity in MMTPA	Purpose
1.	Propylene	8"	0.45	Feed Stock to Polypropylene plant
2.	Lube Oil	10"	0.45	Base Oil for Lube Plant
3.	UCO	10"	1.0	Feed Stock to Polypropylene plant
4.	Multiproduct pipeline	18"	6.4	Feed stock to Polypropylene plant and Rail Loading to BPCLs upcountry locations

2.1 The system shall have dedicated Tele-communication system and Supervisory Control and Data Acquisition (SCADA) system. Total length of each pipeline is 42 Kms. Onshore length is 27 kms and offshore length is 15 kms. Therefore the User Agency has submitted the proposal for diversion of 22.9648 ha. under section 2 (ii) of the Forest (Conservation) Act, 1980.

3. Chief Conservator of forests (T), Thane vide their letter No Desk-10/FCA/CR-50/19-20/OW-698/19-20 dated 04/03/2020 has submitted the proposal along with requisite documents for recommending the proposal :-

8/25-37

c/21

4. Deputy Conservator of Forests Alibag and Divisional Forest Officer Mumbai Mangrove Conservation Unit certified that :-

- 4.1 No suitable non forest land is available for the proposed project and demand for the required forest land is lowest minimum demand for the same. P/153
- 4.2 03 Alternative alignment has been examined and proposed Route 1 is technical feasibility to lay pipelines along MBPT, JNPT & CIDCO area and cross country location with minimum population density. P/71
- 4.3 Provisions of the Forest (Conservation) Act, 1980 and guidelines, under it , have not been violated by user agency . P/154,55
- 4.4 Deputy Conservator of Forests, Alibag certified that degraded forest land admeasuring 46.00 ha. has been identified for Compensatory afforestation and is suitable for plantation and it is free from encroachment and any encumbrances as per details mentioned below alongwith CA scheme for 10 years :- P/156
P/103-139

Ser No	Range	Taluka	Village	S No	Area in ha.	Legal Status
1.	Panvel	Panvel	Palaspe	137 (Old S No 76)	10.00	Reserved Forest
2.	Panvel	Panvel	Morba	62 & 65 (Old S No 61 & 64)	15.00	Reserved Forest
3.	Karjat (East)	Karjat	Kashele	23	8.00	Reserved Forest
4.	Karjat (East)	Karjat	Ganegaon	37	13.00	Reserved Forest
Total					46.00	

- 4.5 The proposed project area is not likely to affect any monument site of cultural , historical religious, archeological or recreational importance. P/151-152
- 4.6 Deputy Conservator of Forests, Alibag certified that the Alignment of the proposed project is within deem Eco-Sensitive zone of Thane Creek Flamingo Sanctuary. P/153-158
- 4.7 Divisional Forest Officer Mumbai Mangrove Conservation Unit certified that nearest boundary of Sanjay Gandhi National Park is at 11.2 km and distance from Thane Creek Flamingo Sanctuary is at 5.5 km from proposed area for diversion. P/159

The proposed project is not within proposed Eco-Sensitive Zone of Thane Creek Flamingo Sanctuary. The ESZ area of Thane Creek Flamingo Sanctuary is not yet notified, hence by default 10 Kms radius of Thane Creek Flamingo Sanctuary is deemed ESZ area.

The proposed diversion area falls within deemed ESZ area of Thane Creek Flamingo Sanctuary. The proposed project has not adverse impact on Thane Creek Flamingo Sanctuary.

- 4.8 Deputy Conservator of Forests, Alibag and Divisional Forest Officer Mumbai Mangrove Conservation Unit have submitted Site Inspection Report dated 05/02/2020 and 23/08/2019 respectively. P/173-80
P/182-86

- 4.9 There are 11904 trees felling involved in the proposed project, Girth wise details are as under :-

Girthwise in cms	Trees		
	Mangrove	Other	Total
Below 30 cms	8940	48	8988
31-45	1642	244	1886
46-60	0	304	304
61-75	0	292	292
76-90	0	207	207
91-105	0	93	93
106-120	0	42	42
121-150	0	52	52
151-180	0	40	40
181-Above	0	00	00
Total	10582	1322	11904

- 4.10 The proposed area belongs Eco Value CI -I & II having density 0.4 to 0.2 and below 0.4 of Alibag Division and Eco CI -II density 0.4 below of Mumbai Mangrove Conservation Unit, Mumbai.

- 4.11 The non forest land covered under the project is not under the provision of Maharashtra Private forest (Acquisition) Act 1975 by virtue of application of section 35 of Indian Forest Act 1927, and are not recognized as deemed reserved forest as well as not included in the area identified as "Forest" as per dictionary meaning of forest as intimated to the expert committee under interim judgment of the Hon'ble Supreme Court dated 12/12/1996 .

5. User Agency has submitted the following undertaking/documents :-

- 5.1 To bear the cost of clearance/removal of the vegetation growth from the proposed forest land.
- 5.2 Agreed to bear the cost of Compensatory afforestation.
- 5.3 To bear the cost of Net Present Value.
- 5.4 Compliance of FRA-2006 has not been submitted by User Agency, however, it submitted the undertaking stating that the FRA-2006 certificate will be submitted on receipt from Collector Raigad and Mumbai Suburban.
- 5.5 The proposed project area is outside the Scheduled Tribal Area.
- 5.6 The User Agency has submitted Cost Benefit Analysis report.
- 5.7 The most of the proposed diversion area is of CIDCO and Navi Mumbai Project. In this regard User agency has submitted the copy of In principal approval letter dated 30/08/2017 for laying of pipeline. And Govt of India Gazette Notification dated 06/02/2020 to acquire Right of user which covering all survey nos of pipeline corridor.

6. Deputy Conservator of Forests, Alibag recommended the proposal for approval as proposed pipeline is for public utility and for supply of aviation fuel to proposed Navi Mumbai International Airport. , an infrastructure development and public utility project and Project proponent is ready to bear all Government levies .

7. Divisional Forest Officer, Mumbai Mangrove Conservation Unit recommended the proposal as after completion of project, the diverted land is restored back to its normal condition by project proponent.

8. The Chief Conservator of Forests (T), Thane recommended the proposal for approval.

9. Additional Principal Chief Conservator of Forests Mangrove Cell, Mumbai recommended the proposal after completion of project, the diverted land is restored back to its normal condition by project proponent.

10. **In view of this, the proposal is recommended for approval under section - 2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions:-**

10.1 The legal status of the land required will remain unchanged

10.2 Compensatory afforestation will be raised at the cost of the user agency on 46.00 ha degraded forest land as per details mentioned below :-

Ser No	Range	Taluka	Village	S. No	Area in ha.	Legal Status
1.	Panvel	Panvel	Palaspe	137 (Old S No 76)	10.00	Reserved Forest
2.	Panvel	Panvel	Morba	62 & 65 (Old S No 61 & 64)	15.00	Reserved Forest
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Total					46.00	

As per GOI guidelines dated 08/11/2017 at least 1000 plants per ha. to be planted on degraded forest land identified for compensatory afforestation. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.

10.3 The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project Authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

10.4 The user agency will defray the cost of Net Present Value of 22.9648 Ha. of forest land as per the latest guideline of Government of India.

10.5 The user agency will defray the additional / revised cost of Net Present Value of forestland as per the latest Guideline of Government of India.

10.6 User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of 11904 trees shall be deposited by the User Agency with the State Forest Department.

- 10.7 The user agency should submit the complete compliance of FRA-2006 at the earliest or along with compliance of Stage-I approval.
- 10.8 The pipeline shall be laid down 1.5 mtr below the ground and after lying down of pipe line the ground will be leveled.
- 10.9 As per Ministry of Environment and Forests notification dated 14/09/2006 para 6(a) of Schedule (List of Projects or Activities requiring prior Environmental Clearance) , The user agency will obtain Environmental Clearance from competent authority. c/119
c/105
- 10.10 As per para 3 (ii) of GOI Guidelines dated 16/07/2020., The user agency shall obtain the clearance from the NBWL and the condition^s laid down by the NBWL and the Chief Wildlife Warden, Maharashtra State shall be binding on it. c/99
- 10.11 Permission of Hon'ble High Court, Bombay shall be obtained for implementing the project in mangrove areas as per Bombay High Court order dated 27/01/2010 in PIL No. 87/2006
- 10.12 The User Agency in consultation with the State Government shall create and maintain an alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nest 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.
- 10.13 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 10.14 No labour camp shall be established on the forest land.
- 10.15 Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
- 10.16 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
- 10.17 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 10.18 The forest land shall not be used for any purpose other than that specified in the project proposal.
- 10.19 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt of India.
- 10.20 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 dated 29/01/2018.
- 10.21 Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & Wildlife.

(Dr. N. Rambabu)

Principal Chief Conservator of Forests
(Head of Forest Force)

Maharashtra State, Nagpur

[Signature]
05/08/2020

[Signature]
S.D. Wadhwa
28/8/2020

PART -IV**Nodal Officer or Principal Chief Conservator of Forests (Head of Forest Force)**

(Detailed opinion and specific recommendation of the State Forest Department for acceptance or otherwise of the proposal with remarks)

Sub.:- The General Manager, Pipeline (Projects) Bharat Petroleum Corporation Ltd, 2nd Floor ERP Building, "A" Installation, Sewree Fort (East) Mumbai has submitted the proposal for diversion of 22.9648 ha. forest land for installation of Polypropylene Unit at Rasayani and construction of underground petroleum products pipeline with OFC and its associated facilities from Mahul (Mumbai Suburban District) to Rasayani (Raigad District) in the State of Maharashtra under Section - 2 of the Forest (Conservation) Act, 1980. The details of the forest land proposed for diversion is as under :-

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Abstract

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	Mangroves Un Notified	Finally Acquired Private Forest	Section -4 RF	Restored Private Forest	Unclassed Forest	Mangroves including mudflat	Reserved Forest	Total
Alibag	11.0715	0.0726	1.8658	0.3041	1.1712	0.00	0.6784	15.1636
Mumbai Mangrove Conservation Unit	5.3200	0.00	0.00	0.00	0.00	2.4812	0.00	7.8012
Total	16.3915	0.0726	1.8658	0.3041	1.1712	2.4812	0.6784	22.9648

Specific recommendation of Principal Chief Conservator of Forests (HoFF) MS Nagpur is attached on page no. 22A.

Date : /08/2020
Place : Nagpur


(Sanjeev Gaur)

Additional Principal Chief Conservator of Forests
& Nodal Officer



Certified by ISO
9001:2015

Office of the Principal Chief Conservator of Forests (Head of Forest Force), Maharashtra State

**Additional Principal Chief Conservator of Forests and Nodal Officer,
Maharashtra State, Nagpur**

First Floor, 'B' Wing, Van Bhavan, Civil Lines, Nagpur-440001

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E-mail- apccfnodal@mahaforest.gov.in Website: www.mahaforest.gov.in

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No. : Desk-17/NC/II/ID 12802/(71)/ **370** /2020-21
Nagpur – 440 001, Dated: **13/08/2020**

To,

The Principal Secretary (Forests),
Revenue & Forest Department
Mantralaya Mumbai -32

Ref:- Chief Conservator of Forests, (T) ,Thane letter No Desk-10/FCA/CR-50/19-20/OW-698/19-20 dated 04/03/2020.

c/2)

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				16/1	59.41	24	1303.00	0.1303	Mangroves (Un -notified)
				16/7	8.14	24	204.00	0.0204	Mangroves (Un -notified)
				16/26	27.87	24	633.00	0.0633	Mangroves (Un -notified)
				16/10	In Rou	24	200.00	0.0200	Mangroves (Un -notified)
				16/11	15.00	24	163.00	0.0163	Mangroves (Un -notified)
				16/12	63.48	24	1499.00	0.1499	Mangroves (Un -notified)
				16/13	In Rou	24	123.00	0.0123	Mangroves (Un -notified)
				16/25	In Rou	24	5.00	0.0005	Mangroves (Un -notified)
				16/16	In Rou	24	5.00	0.0005	Mangroves (Un -notified)
				16/17	In Rou	24	221.00	0.0221	Mangroves (Un -notified)
				16/18	In Rou	24	134.00	0.0134	Mangroves (Un -notified)
				16/23	22.80	24	270.00	0.0270	Mangroves (Un -notified)
				16/22	13.75	24	228.00	0.0228	Mangroves (Un -notified)
				16/20	19.76	24	429.00	0.0429	Mangroves (Un -notified)
				16/19	In Rou	24	5.00	0.0005	Mangroves (Un -notified)
				16/21	6.00	24	327.00	0.0327	Mangroves (Un -notified)
				16/24	5.43	24	68.00	0.0068	Mangroves (Un -notified)
				15/2	In Rou	24	77.00	0.0077	Mangroves (Un -notified)
				15/4	14.59	24	332.00	0.0332	Mangroves (Un -notified)
				15/6	27.85	24	798.00	0.0798	Mangroves (Un -notified)
				15/11	45.91	24	1013.00	0.1013	Mangroves (Un -notified)
				15/10	45.84	24	871.00	0.0871	Mangroves (Un -notified)
				15/12	In Rou	24	51.00	0.0051	Mangroves (Un -notified)
				15/13	5.55	24	245.00	0.0245	Mangroves (Un -notified)
				15/14	In Rou	24	119.00	0.0119	Mangroves (Un -notified)
				20/5	in Rou	24	31.00	0.0031	Mangroves (Un -notified)
				20/1	48.20	24	924.00	0.0924	Mangroves (Un -notified)
				20/2	1.35	24	36.00	0.0036	Mangroves (Un -notified)
5	Raigad	Panvel	Owle	193	373.25	24	8991.00	0.8991	Section-4 R.F.
				173	100.11	24	1916.00	0.1916	Mangroves (Un -notified)
				174	42.50	24	1028.00	0.1028	Mangroves (Un -notified)
				175	41.45	24	1013.00	0.1013	Mangroves (Un -notified)
				Creek	62.11	24	1542.00	0.1542	Mangroves (Un -notified)
6	Raigad	Panvel	Paragaon Dungi	7	13.62	24	338.00	0.0338	Mangroves (Un -notified)
7	Raigad	Panvel	Karanjade	52/4	98.16	24	2355.84	0.2356	Restored Private Forest
				52/1	17.50	24	685.00	0.0685	Restored Private Forest
8	Raigad	Panvel	Sirdhon	115	488.00	24	11712.00	1.1712	Unclassed Forest
9	Raigad	Panvel	Somtane	132	119.00	24	3359.00	0.3359	Section-4 R.F.
10	Raigad	Panvel	Narpoli	R.F.	54.30	24	1531.00	0.1531	Reserved Forest
				173	269.75	24	6308.00	0.6308	Section-4 R.F.
11	Raigad	Panvel	Devlooli Budruk	99	225.96	24	5253.00	0.5253	Reserved Forest

Total (A) Alibag Division 151636.40								15.1636	
12	Mumbai Suburban	Kurla	Mahul	638 Part	56.00	10	560.00	0.0560	Mangrove including mudflat u/s.4 of IFA,1927
				638 Part	110.00	10	1100.00	0.1100	
				638 Part	100.15	10	1001.48	0.1001	
				638 Part	200.89	40	8035.48	0.8035	
				638 Part	252.07	56.00	14115.81	1.4116	
				638 Part	950.00	56.00	53200.00	5.3200	Mangroves (Un -notified)
Total (B) Mangrove Cell's								7.8012	
Grand Total (A+B)								22.9648	

Abstract

Name of Division	Legal Status of Land							
	Mangroves Un Notified	Finally Acquired Private Forest	Section -4 RF	Restored Private Forest	Unclassed Forest	Mangroves including mudflat	Reserved Forest	Total
Alibag	11.0715	0.0726	1.8658	0.3041	1.1712	0.00	0.6784	15.1636
Mumbai Mangrove Conservation Unit	5.3200	0.00	0.00	0.00	0.00	2.4812	0.00	7.8012
Total	16.3915	0.0726	1.8658	0.3041	1.1712	2.4812	0.6784	22.9648

2. The User Agency has highlighted that Bharat Petroleum Corporation Limited owns and operates a 12 MMTPA Refinery at Mahul village Mumbai. This compact Refinery is the only Refinery in the country without evacuation of products by Rail. In order to debottleneck, expand/add value added products, BPCL is in the process of acquiring about 700 acres of land at Rasayani, Raigad District which is about 45 kms from the Mumbai Refinery. BPCL has planned to expand its pipeline network to cater the need of petroleum products in Western Maharashtra viz Raigad, Pune Ahmednagar district. Pipeline transportation results in enhanced safety as there is minimum handling of products. The subterranean nature of the pipelines also makes them intrinsically safer than other modes of transportation. Ministry of Environment & Forests has recommended that all bulk quantities of Petroleum Products be transported through well-designed pipelines to minimize risks in transportation by rail and road. The proposed pipeline from BPCL Mumbai Refinery to Rasayani with the capacity proposed is given below :-

Ser No	Product	Pipeline size	Capacity in MMTPA	Purpose
1.	Propylene	8"	0.45	Feed Stock to Polypropylene plant
2.	Lube Oil	10"	0.45	Base Oil for Lube Plant
3.	UCO	10"	1.0	Feed Stock to Polypropylene plant
4.	Multiproduct pipeline	18"	6.4	Feed stock to Polypropylene plant and Rail Loading to BPCLs upcountry locations

2.1 The system shall have dedicated Tele-communication system and Supervisory Control and Data Acquisition (SCADA) system. Total length of each pipeline is 42 Kms Onshore length is 27 kms and offshore length is 15 kms. Therefore the User Agency has submitted the proposal for diversion of 22.9648 ha. under section 2 (ii) of the Forest (Conservation) Act, 1980.

3. Chief Conservator of forests (T), Thane vide their letter No Desk-10/FCA/CR-50/19-20/OW-698/19-20 dated 04/03/2020 has submitted the proposal along with requisite documents for recommending the proposal :-

4. **Deputy Conservator of Forests Alibag and Divisional Forest Officer Mumbai Mangrove Conservation Unit certified that :-**

- 4.1 No suitable non forest land is available for the proposed project and demand for the required forest land is lowest minimum demand for the same.
- 4.2 03 Alternative alignment has been examined and proposed Route 1 is technical feasibility to lay pipelines along MBPT, JNPT & CIDCO area and cross country location with minimum population density.
- 4.3 Provisions of the Forest (Conservation) Act, 1980 and guidelines, under it , have not been violated by user agency .
- 4.4 Deputy Conservator of Forests, Alibag certified that degraded forest land admeasuring 46.00 ha. has been identified for Compensatory afforestation and is suitable for plantation and it is free from encroachment and any encumbrances as per details mentioned below alongwith CA scheme for 10 years :-

Ser No	Range	Taluka	Village	S No	Area in ha.	Legal Status
1.	Panvel	Panvel	Palaspe	137 (Old S No 76)	10.00	Reserved Forest
2.	Panvel	Panvel	Morba	62 & 65 (Old S No 61 & 64)	15.00	Reserved Forest
3.	Karjat (East)	Karjat	Kashele	23	8.00	Reserved Forest
4.	Karjat (East)	Karjat	Ganegaon	37	13.00	Reserved Forest
Total					46.00	

- 4.5 The proposed project area is not likely to affect any monument site of cultural , historical religious, archeological or recreational importance
- 4.6 Deputy Conservator of Forests, Alibag certified that the Alignment of the proposed project is within deem Eco-Sensitive zone of Thane Creek Flamingo Sanctuary.
- 4.7 Divisional Forest Officer Mumbai Mangrove Conservation Unit certified that nearest boundary of Sanjay Gandhi National Park is at 11.2 km and distance from Thane Creek Flamingo Sanctuary is at 5.5 km from proposed area for diversion.

The proposed project is not within proposed Eco-Sensitive Zone of Thane Creek Flamingo Sanctuary. The ESZ area of Thane Creek Flamingo Sanctuary is not yet notified, hence by default 10 Kms radius of Thane Creek Flamingo Sanctuary is deemed ESZ area.

The proposed diversion area falls within deemed ESZ area of Thane Creek Flamingo Sanctuary. The proposed project has not adverse impact on Thane Creek Flamingo Sanctuary.

- 4.8 Deputy Conservator of Forests, Alibag and Divisional Forest Officer Mumbai Mangrove Conservation Unit have submitted Site Inspection Report dated 05/02/2020 and 23/08/2019 respectively.
- 4.9 There are 11904 trees felling involved in the proposed project, Girth wise details are as under :-

Girthwise in cms	Trees		
	Mangrove	Other	Total
Below 30 cms	8940	48	8988
31-45	1642	244	1886
46-60	0	304	304
61-75	0	292	292
76-90	0	207	207
91-105	0	93	93
106-120	0	42	42
121-150	0	52	52
151-180	0	40	40
181-Above	0	00	00
Total	10582	1322	11904

- 4.10 The proposed area belongs Eco Value CI –I & II having density 0.4 to 0.2 and below 0.4 of Alibag Division and Eco CI –II density 0.4 below of Mumbai Mangrove Conservation Unit, Mumbai.
- 4.11 The non forest land covered under the project is not under the provision of Maharashtra Private forest (Acquisition) Act 1975 by virtue of application of section 35 of Indian Forest Act 1927, and are not recognized as deemed reserved forest as well as not included in the area identified as "Forest" as per dictionary meaning of forest as intimated to the expert committee under interim judgment of the Hon'ble Supreme Court dated 12/12/1996 .
5. **User Agency has submitted the following undertaking/documents :-**
- 5.1 To bear the cost of clearance/removal of the vegetation growth from the proposed forest land.
- 5.2 Agreed to bear the cost of Compensatory afforestation.
- 5.3 To bear the cost of Net Present Value.
- 5.4 Compliance of FRA-2006 has not been submitted by User Agency, however, it submitted the undertaking stating that the FRA-2006 certificate will be submitted on receipt from Collector Raigad and Mumbai Suburban.
- 5.5 The proposed project area is outside the Scheduled Tribal Area.
- 5.6 The User Agency has submitted Cost Benefit Analysis report.

- 5.7 The most of the proposed diversion area is of CIDCO and Navi Mumbai Project. In this regard User agency has submitted the copy of In principal approval letter dated 30/08/2017 for laying of pipeline. And Govt of India Gazette Notification dated 06/02/2020 to acquire Right of user which covering all survey nos of pipeline corridor.

6. Deputy Conservator of Forests, Alibag recommended the proposal for approval as proposed pipeline is for public utility and for supply of aviation fuel to proposed Navi Mumbai International Airport. , an infrastructure development and public utility project and Project proponent is ready to bear all Government levies .

7. Divisional Forest Officer, Mumbai Mangrove Conservation Unit recommended the proposal as after completion of project, the diverted land is restored back to its normal condition by project proponent.

8. The Chief Conservator of Forests (T), Thane recommended the proposal for approval.

9. Additional Principal Chief Conservator of Forests Mangrove Cell, Mumbai recommended the proposal after completion of project, the diverted land is restored back to its normal condition by project proponent.

10. **In view of this, the proposal is recommended for approval under section - 2 (ii) of the Forest (Conservation) Act, 1980 subject to the following conditions:-**

10.1 The legal status of the land required will remain unchanged

10.2 Compensatory afforestation will be raised at the cost of the user agency on 46.00 ha degraded forest land as per details mentioned below :-

Ser No	Range	Taluka	Village	S. No	Area in ha.	Legal Status
1.	Panvel	Panvel	Palaspe	137 (Old S No 76)	10.00	Reserved Forest
2.	Panvel	Panvel	Morba	62 & 65 (Old S No 61 & 64)	15.00	Reserved Forest
3.	Karjat (East)	Karjat	Kashele	23	8.00	Reserved Forest
4.	Karjat (East)	Karjat	Ganegaon	37	13.00	Reserved Forest
Total					46.00	

As per GOI guidelines dated 08/11/2017 at least 1000 plants per ha. to be planted on degraded forest land identified for compensatory afforestation. As far as possible, a mixture of local indigenous species shall be planted and monoculture of any species may be avoided.

10.3 The cost of compensatory afforestation at the prevailing wage rates as per compensatory afforestation scheme and the cost of survey, demarcation and erection of permanent pillars if required on the CA land shall be deposited in advance with the Forest Department by the project Authority. The CA will be maintained for 10 years. The scheme may include appropriate provision for anticipated cost increase for works scheduled for subsequent years.

- 10.4 The user agency will defray the cost of Net Present Value of 22.9648 Ha. of forest land as per the latest guideline of Government of India.
- 10.5 The user agency will defray the additional / revised cost of Net Present Value of forestland as per the latest Guideline of Government of India.
- 10.6 User Agency shall restrict the felling of trees to minimum number in the diverted forest land and the trees shall be felled under the strict supervision of the State Forest Department and the cost of felling of 11904 trees shall be deposited by the User Agency with the State Forest Department .
- 10.7 The user agency should submit the complete compliance of FRA-2006 at the earliest or along with compliance of Stage-I approval.
- 10.8 The pipeline shall be laid down 1.5 mtr below the ground and after lying down of pipe line the ground will be leveled.
- 10.9 As per Ministry of Environment and Forests notification dated 14/09/2006 para 6(a) of Schedule (List of Projects or Activities requiring prior Environmental Clearance) , The user agency will obtain Environmental Clearance from competent authority.
- 10.10 As per para 3 (ii) of GOI Guidelines dated 16/07/2020., The user agency shall obtain the clearance from the NBWL and the condition laid down by the NBWL and the Chief Wildlife Warden, Maharashtra State shall be binding on it.
- 10.11 Permission of Hon'ble High Court, Bombay shall be obtained for implementing the project in mangrove areas as per Bombay High Court order dated 27/01/2010 in PIL No. 87/2006
- 10.12 The User Agency in consultation with the State Government shall create and maintain an alternate habitat/home for the avifauna, whose nesting trees are to be cleared in this project. Bird's nest 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.
- 10.13 The layout plan of the proposal shall not be changed without prior approval of Central Government.
- 10.14 No labour camp shall be established on the forest land.
- 10.15 Sufficient firewood, preferably the alternate fuel, shall be provided by the User Agency to the labourer after purchasing the same from State Forest Department or the Forest Development Corporation or any other legal source of alternate fuel.
- 10.16 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
- 10.17 No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work.
- 10.18 The forest land shall not be used for any purpose other than that specified in the project proposal.

- 10.19 The forest land proposed to be diverted shall under no circumstances be transferred to any other agencies, department or person without prior approval of Govt of India.
- 10.20 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 dated 29/01/2018.
- 10.21 Any other condition that the Ministry of Environment, Forests & Climate Change may stipulate from time to time in the interest of conservation, protection and development of forests & Wildlife.

11. It is therefore requested that the Government of Maharashtra may kindly be moved to approve the diversion of 22.9648 ha. forest land in favour of The General Manager, Pipeline (Projects) Bharat Petroleum Corporation Ltd, (East) Mumbai for installation of Polypropylene Unit at Rasayani and construction of underground petroleum products pipeline with OFC and its associated facilities from Mahul (Mumbai Suburban District) to Rasayani (Raigad District) in the State of Maharashtra under section 2 (ii) of the Forest (Conservation) Act, 1980.

Encls : As above

(Sanjeev Gaur)
Additional Principal Chief Conservator of Forests
& Nodal Officer

Copy submitted to Additional Principal Chief Conservator of Forests ,Mangrove Cell Mumbai for information.

Copy forwarded to Chief Conservator of Forests (T) , Thane for information.

Copy forwarded to Deputy Conservator of Forests , Alibag for information.

Copy forwarded to Divisional Forest Officer, Mumbai Mangrove Conservation Unit, Mumbai for information

Copy forwarded to The General Manager, Pipeline (Projects) Bharat Petroleum Corporation Ltd, 2nd Floor ERP Building, "A" Installation, Sewree Fort (East) Mumbai

Received
Anand
02/09/2020
SAURASH MEHRA
Sales officer. (CPG), Nagpur.
BPCI.
Phone - 7350005993