

/60629/2023



भारत सरकार
GOVERNMENT OF INDIA
पर्यावरण, वन एवं जलवायु परिवर्तन मंत्रालय
MINISTRY OF ENVIRONMENT, FOREST
& CLIMATE CHANGE

F.No. FC-II/MH-163/2021-NGP /12669

Regional Office
Ground Floor, East Wing
New Secretariat Building
Civil Lines, Nagpur - 440001
apccfcentral-ngp-mef@gov.in

Date: 22.12.2023

To,

The Principal Secretary (Forests),
Revenue and Forest Department,
HutatmaRajguruChowk
Madam Cama Marg
Mantralaya, Mumbai – 400032.

Subject: Diversion of 22.9648 ha of forest land in favour of Bharat Petroleum Corporation Ltd., Mumbai for installation of polypropylene unit at Rasayani and construction of underground petroleum pipeline with OFC and its associated facilities from Mahul (Mumbai Suburban District) to Rasayani (Raigad District) in the State of Maharashtra- regarding.

Sir,

The undersigned is directed to refer to the Government of Maharashtra's letter no. FLD-1320/C.R.225/F-10 dated 26.03.2021 on the above subject seeking prior approval of the Central Government under Section-2 of the Forest (Conservation) Act, 1980. After careful examination of the proposal of the State Government, '**in-principle**' approval was accorded by the Central Government vide its letter of even number dated 10.08.2022. the State Government of Maharashtra vide letter no. FLD-1320/C.R.225/F-10 dated 12.12.2023 and The Addl. PCCF and Nodal Officer (FCA), Government of Maharashtra, vide his letter no. Desk-17/Nodal/S2/PID-39455/Thane/2529/2023-24 dated 30.11.2023 submitted a report on the compliance of conditions stipulated in the 'in-principle' approval and requested the State Government to grant final approval to the proposal

After careful consideration of the proposal, I am directed to convey the Central Government's '**final approval**' under Section- 2 of the **Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980** for diversion of **22.9648 ha** of forest land in favour of Bharat Petroleum Corporation Ltd., Mumbai for installation of polypropylene unit at Rasayani and construction of underground petroleum pipeline with OFC and its associated facilities from Mahul (Mumbai Suburban District) to Rasayani (Raigad District) in the State of Maharashtra subject to the fulfilment of the following conditions:

- Legal status of the forest land shall remain unchanged;
- The boundary of the diverted forest land shall be suitably demarcated on ground by the **State Forest Department from the amount already been realized from the User Agency;**
- Compensatory afforestation shall be taken up by the Forest Department over

the area 46.00 ha. degraded Forest Land from the amount which has already been realized from the User Agency r:

S.N.	Village	Taluka	Range	Survey/ Comptt. No.	Area
1.	Palaspe	Panvel	Panvel	137 (old Sur. No. 76)	10.00
2.	Morba	Panvel	Panvel	62 & 65 (old Sur. No. 61 & 64)	15.00
3.	Kashele	Karjat	Karjat	23	8.00
4.	Dahigaon & Vengaon	Karjat	Karjat	60/1/B & 13/1/A	13.00
Total					46.00

As far as possible, a mixture of local indigenous species along with 10% RET species of Raigad District shall be planted and monoculture of any species may be avoided. Atleast two water bodies in Sur. no. 137 and Sur. No. 23 and atleast one water body each in Sur. no. 62, 65, 60/1/B & 13/1/A shall be constructed in the form of tank/ stop dams etc if the same are not available in the area or in nearby vicinity. Further, if existing tanks/ stop dams are available and needs desilting/ repair; same shall be carried out to meet the water requirement of wild animals through out the year;

- iv. 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;
- v. State Government/ User Agency shall take prior permission from Hon'ble High Court for Mangrove cutting before issue of order for diversion of the forest land in accordance with Hon'ble Mumbai High Court order dated 27/1/2010 in PIL 87 of 2006 and any felling or destruction of mangroves required under the project shall be as per the orders of the Hon'ble High Court, at the project cost and the State Government and the User Agency shall abide and strictly comply with directions of the Hon'ble High Court;
- vi. 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. Tree felling shall be carried out **from the amount which has already been realized from the User Agency;**
- vii. The drilling shall be done under the supervision of State Forest Department and the DCF concern shall ensure that there is no tree felling for the drilling purpose. Further, no tree felling shall be allowed where Horizontal Directional Drilling is proposed;
- viii. The State Government, Maharashtra/ Nodal Officer (FCA), Maharashtra shall ensure settlement of rights under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 (No. 2 of 2007) before issuing an order for handing over of forest land to the User Agency as per Rule- 9 (6) (b) (ii) of Forest (Conservation) Rules, 2022 dated 28.06.2022;
- ix. The pipeline shall be laid down at least 10 meter below the ground and no terrestrial forest surface shall be break for laying the pipeline except the two openings for Horizontal Directional Drilling;
- x. To improve the Forest/ Tree cover and to reduce pollution in the State, as mandated in National Forest Policy, 1988 and Environmental (Protection)

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- Act, 1986 respectively, the User Agency with involvement of Joint Forest Management Committees (JFMC's) and in consultation with local DCF shall raise at least 25,000 seedlings of forestry species along with bamboo, fruit bearing, medicinal, ornamental and indigenous/local for 10 years. At least 50% of seedlings shall be planted in the vicinity of project area and remaining 50% of seedlings shall be distributed among villagers as per choice of villagers. The concerned JFMC's shall maintain record of plantation/ seedling distribution to villagers;
- xi. The State Government/ User Agency shall take prior permission from Hon'ble High Court for Mangrove cutting before issue of order for diversion of the forest land in accordance with Hon'ble Mumbai High Court order dated 27/1/2010 in PIL 87 of 2006;
 - xii. User Agency shall obtain Environmental Clearance as per the provisions of the Environmental (Protection) Act, 1986, if applicable;
 - xiii. The layout plan of the proposal shall not be changed without prior approval of Central Government;
 - xiv. No labour camp shall be established on the forest land;
 - xv. 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;
 - xvi. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;
 - xvii. The period of diversion under this approval shall be co-terminus with the period of lease to be granted in favour of the user agency or the project life, whichever is less;
 - xviii. The forest land shall not be used for any purpose other than that specified in the project proposal and **diverted forest area shall not exceed 22.9648 ha**;
 - xix. 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;
 - xx. Violation of any of these conditions will amount to violation of **Van (Sanrakshan Evam Samvardhan) Adhiniyam 1980** and action would be taken as per the provision of **Adhiniyam** and rules /guidelines issued there under;
 - xxi. 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;

This issues with the approval of DDGF(C), Regional Office, MoEF&CC, Nagpur.

Yours faithfully,


(C.B. Tashildar)
AIGF (Central)

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Copy to:

- i. The IGF (RoHQ), Ministry of Environment, Forest and Climate Change, Indira Paryavaran Bhawan, Jorbagh Road, Aliganj, New Delhi- 110003 for information please
- ii. The PCCF (HoFF), Government of Maharashtra, Nagpur.
- iii. User agency.
- iv. Guard file.

—sd—
(C.B. Tashildar)
AIGF (Central)