

Sub.:- Forest Land- Raigad & Mumbai Sub-urban

Diversion of 22.9648 Ha. of forest land 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.

PART - V

(To be filled up by the Secretary In charge of Forest Department or by any other authorized officer of the State Government not below the rank of an Under Secretary)

**1. Recommendation of the
State Government**

The proposal is recommended
vide Government letter

No.FLD-1320/ CR-225/ F-10

Dated: 26/03/2021

apt 26/03/2021
(Arvind Apte)

Chief Conservator of Forests (Mantralaya)

Place : Mumbai

Date : 26/03/2021

Arvind Apte
Chief Conservator of Forests (Mantralaya)
Revenue and Forests Department
Mantralaya, Mumbai - 400032

Government of Maharashtra

By Speed Post

No.FLD-1320/ C.R.225/ F-10
Revenue and Forest Department,
Room No.456/461 Annex,
Hutatma Rajguru Chowk,
Madam Cama Marg,
Mantralaya, Mumbai- 400 032.
Date:- 26/03/2021

To,
✓ Regional Officer (Central),
Government of India,
Ministry of Environment, Forests & Climate Change,
Integrated Regional Office,
Ground Floor, East Wing,
New Secretariat Building, Civil Lines,
Nagpur-440 001.

Sub.:- Forest Land- Raigad & Mumbai Sub-urban

Diversion of 22.9648 Ha. of forest land 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.

Sir,

The General Manager, Pipeline (Projects), Bharat Petroleum Corporation Ltd., Mumbai has submitted the proposal for diversion of 22.9648 Ha. of forest land 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. Total non-forest land involved in the project is 45.9246 Ha. The detailed area statement of forest land involved in the project is attached herewith as Annexure-I.

2. The User Agency has highlighted that, BPCL Ltd. owns and operates a 12 MMTPA Refinery at Mahul Villlage, Mumbai. This compact refinery is the only refinery in the country without evacuation of product by Rail. In order to debottleneck, expand/add value added products, BPCL is in the process of acquiring about 700 Acers of land ata 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:-

Sr. 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

The system shall have dedicated telecommunication system and supervisory control and data acquisition system. Total length of each pipeline is 42 KMs. Onshore length is 27 KMs and offshore length is 15 KMs. Therefore, User Agency has submitted the proposal for diversion of 22.9648 Ha. under section-2 (ii) of the FCA, 1980.

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

- i. No suitable alternate non forest land is available for the proposed project and demand for the forest land is the barest minimum.
- ii. Three alternate alignments have been examined and proposed route no.1 is technical feasibility to lay pipelines along MBPT, JNPT & CIDCO area and cross country location with minimum population density.
- iii. The proposed area belongs to Eco Value Class-I & II having density 0.4 to 0.2 and below 0.4 of Alibag Division and Eco Value Class-II density 0.4 below of Mumbai Mangrove Conservation Unit, Mumbai.
- iv. There are 11,904 trees of various species involved in the implementation of the project.
- v. Proposed project is not likely to affect any monumental site of cultural, historical, religious, archaeological or recreational importance.
- vi. There is no violation of Forest (Conservation) Act, 1980.
- vii. 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.
- viii. Deputy Conservator of Forests, Alibag and Divisional Forest Officer, Mumbai Mangrove Conservation Unit have submitted the site inspection report.
- ix. Deputy Conservator of Forests, Alibag has certified that the alignment of the proposed project is within deemed Eco Sensitive Zone of Thane Creek Flamingo Sanctuary.
- x. Divisional Forest Officer, Mumbai Mangrove Conservation Unit has 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 ESZ of Thane Creek Flamingo Sanctuary. The ESZ area of Thane Creek Flamingo Sanctuary is not yet notified. Hence, by default 10 KM radius of Thane Creek Flamingo Sanctuary is deemed ESZ area.

- xi. Deputy Conservator of Forests, Alibag has certified that 46.00 Ha. degraded forest area has been selected for Compensatory Afforestation and is suitable for plantation & it is free from encroachment and encumbrances as per details mentioned below. CA scheme for 10 years submitted.

Sr. No.	Range	Taluka	Village	Survey No.	Area in Ha.	Legal Status
1.	Panvel	Panvel	Palaspe	137 (old survey no.76)	10.00	RF
2.	Panvel	Panvel	Morba	62 & 65 (old survey no.61 & 64)	15.00	RF
3.	Karjat (East)	Karjat	Kashele	23	8.00	RF
4.	Karjat (East)	Karjat	Ganegaon	37	13.00	RF
Total Area in Hectare					46.00	

4. The User Agency has submitted the following undertakings:-

- To defray the cost of Net Present Value of the forest land proposed for diversion.
 - To defray the cost of Compensatory Afforestation as determined by the forest Department.
 - The User Agency has not submitted the FRA-2006 certificate. However, submitted the undertaking stating that the same will be submitted on receipt from respective District Collector.
 - Agree to bear the cost of clearance/ removed of the vegetation growth from the proposed forest land.
 - The proposed project area is outside the Scheduled Tribal Area.
 - The User Agency has submitted the Cost Benefit Analysis Report.
 - The most of the proposed diversion area s of CIDCO and Navi Mumbai project. In this regard the 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.
5. 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.
6. The Chief Conservator of Forest (T), Thane recommended the proposal for approval.

7. 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.

8. The Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur has recommended the proposal subject to the conditions, given in his specific recommendations, under Section-2 (ii) of the Forest (Conservation) Act, 1980. His specific recommendations are enclosed in the proposal.

9. In the circumstances explained in above paragraphs and enclosures, the State Government recommends that the said forest land may be allowed to be diverted for the non-forestry use subject to conditions proposed by the Principal Chief Conservator of Forests (HoFF), Maharashtra State, Nagpur. The matter may kindly be placed before Government of India for its approval under Section-2 (ii) of the Forest (Conservation) Act, 1980 and the same may please be obtained and communicated to this Government at earliest.

Yours faithfully,

ap
26/02/2021

(Arvind Apte)

Chief Conservator of Forests (Mantralaya)

Encl: A) Set of case papers

b) **The following documents are enclosed:-**

1. Prescribed form as per Rules
2. Certificate regarding minimum demand for forest land for the project
3. Area Statement
4. Index map of suitable scale
5. Commitment from the Applicant for defraying the cost of exploitation as well as cost of compensatory plantation
6. User Agency has given an undertaking of Net Present Value
7. Brief note of the project from the project authority
8. Map of non-forest land for compensatory afforestation
9. Site Inspection Report
10. No violation of Forest (Conservation) Act, 1980
11. Certificate in Part-V

Copy to:

1. Additional Principal Chief Conservator of Forests and Nodal Officer, Maharashtra State, Nagpur
2. Additional Principal Chief Conservator of Forests & CEO (Maha-CAMPA), Maharashtra State, Nagpur

3. Additional Principal Chief Conservator of Forest, Mangrove Cell, Mumbai.
4. Chief Conservator of Forests (T), Thane
5. Collector, Raigad
6. Collector, Mumbai Sub-urban
7. Deputy Conservator of Forests, Alibag
8. Divisional Forest Officer, Mumbai Mangrove Conservation Unit, Mumbai
9. General Manager, Pipeline (Projects), Bharat Petroleum Corporation Ltd., 2nd floor, ERP Building, "A" installation, Sewree Fort (East), Mumbai
10. Select File F-10.