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FC2- 35848/2016 (1)

Forest Headquarters,
Vazhuthacaud,
Thiruvananthapuram - 14.
Date : 12.03.2018

From

The Principal Chief Conservator of Forests,
(Forest, Land & Resources) & Nodal Officer,
F(C)Act & CAMPA,
Forest Headquarters, Vazhuthacaud,
Thiruvananthapuram.

To

The Principal Secretary,
Forest & Wildlife Department,
Secretariat, Thiruvananthapuram.

Sir,

Sub :- Forest & Wildlife Department – Diversion of 0.01866 ha of deemed forest land for International Ship Repair Facility Project of Cochin Shipyard, Kochi, Kerala – Compliance Report - regarding.

Ref :-

1. Government of India, Ministry of Environment, Forest & Climate Change 4-KLB1112/2017/BAN/197 dated 07.06.2017.
2. Government of Kerala letter No. 1162813/C2/2017/F&WLD dated 30.06.2017.

Kind attention is invited to the subject and reference cited. Government of India, Ministry of Environment, Forest & Climate Change as per the order referred 1st above has accorded stage I clearance for diversion of 0.01866 ha of deemed forest land for International Ship Repair Facility of Cochin Shipyard, Kochi subject to certain conditions. The compliance report on the conditions stipulated by Government of India is submitted herewith for favour of further action.

Sl. No.	Conditions	Compliance report
1.	The legal status of the forest land shall remain unchanged.	Complied. User Agency agreed the condition.
2.	The demarcation of the deemed forest area being diverted shall be	The total project area is 16.9 ha. Out of which 0.01866 ha ie (186.6 M2)

	carried out at the cost of User Agency, before Stage-II approval.	occupied by 15 Nos mangrove plants is identified as deemed forest area. These mangroves have grown due to siltation near to the slipway area where quay wall is not present. As per the master-plan, workstations for ship repair will be constructed in this area. Hence 15 nos. mangrove plants need to be felled. In view of the above, it may be noted that demarcation of the deemed forest area (186.6 M2) is not practically possible.
3.	The cost of raising plantation of 10 times the number of trees to be felled shall be deposited by the User Agency.	Complied. As per demand letter issued by Divisional Forest Officer, Malayattoor Rs. 12000/- was deposited in the Adhoc CAMPA account towards Compensatory Afforestation on 23.08.2017 through e-payment module of Forest Clearance portal - forestclearance.nic.in. Copy of the demand letter issued by Divisional Forest Officer and the payment details are enclosed herewith.
4.	The State Government shall charge the Net Present Value of the diverted deemed forest land measuring 0.01866 ha from User Agency as per the orders of the Hon'ble Supreme Court dated 28.03.2008 and 09.05.2008 in IA Nos. 826 in 566 with related IA's in Writ Petition (Civil) No.202/1995.	Complied. As per demand letter issued by Divisional Forest Officer, Malayattoor Rs. 17522/- as Net Present Value in lieu of the diverted deemed forest land was deposited in the Adhoc CAMPA account on 23.08.2017 through e-payment module of Forest Clearance portal - forestclearance.nic.in. Copy of the payment details is enclosed herewith.

5.	Additional amount of the Net Present Value (NPV) of the diverted deemed forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from User Agency. User Agency shall furnish an undertaking to this effect.	Complied. Undertaking has been given by Cochin Shipyard on 01.08.2017 the same is enclosed herewith.
6.	The User Agency shall make online payment of cost of Compensatory Afforestation and Net Present Value with Adhoc CAMPA through e-payment module of Forest Clearance portal-forestclearance.nic.in	Complied. Net Present Value of Rs.17522/- and cost of Compensatory Afforestation of Rs.12000/- have been paid with Adhoc CAMPA account on 23.08.2017 through e-payment module of Forest Clearance portal - forestclearance.nic.in. Copy of the payment details is enclosed herewith.
7.	Necessary certificates/ documents under the Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 as per the guidelines issued by Ministry of Environment & Forests vide letter No. 11-9/1998-FC (Pt) dated 05.07.2013 shall be furnished before Stage-II clearance.	Complied. District Collector, Ernakulam submitted certificate regarding settlement of rights under as per Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act 2006 (FRA) vide No. L-14-17446/2017 dated 20.10.2017. The same is enclosed herewith.
8.	All other approvals required under different Acts shall be obtained before commencement of the project.	Complied. CSL application for wildlife clearance (FP/KL/Others/747/16) was recommended by Kerala State Board of Wildlife (SBWL) after deliberation in its meeting held on

		16.08.2017 and is presently awaiting deliberations at the forthcoming NBWL meeting tentatively scheduled in the 1 st week of November 2017. All other statutory approvals have been obtained already.
9.	The total deemed forest area utilized for the project shall not exceed 0.01866 ha.	It is already informed to Cochin Shipyard Ltd., and agreed in the compliance report.
10	Any other condition that the Additional Principal Chief Conservator of Forests (Central) Regional Office, Bangalore may impose from time to time for protection, improvement of flora and fauna in the forest area and public convenience, shall also be applicable.	It is already informed to Cochin Shipyard Ltd., and agreed in the compliance report.
11.	Violation of any of the conditions shall invite penal action, as deemed fit by the Additional Principal Chief Conservator of Forests (Central), Regional Office, Bangalore.	It is already informed to Cochin Shipyard Ltd., and agreed in the compliance report.

The following documents submitted by Cochin Shipyard Ltd. Kochi is enclosed herewith.

1. Compliance report for obtaining Stage-II forest clearance submitted by Cochin Shipyard Ltd.
2. Online payment history made by the User Agency under CAMPA on 16.09.2017.
3. Chalan details towards the payment made for State CAMPA account.
4. Undertaking No. PROJ/ISRF/701/13 dated 01.08.2017 in stamp paper worth Rs.500/-.

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5. Certificate issued by District Collector, Ernakulam vide No. L14-17446/2017 dated 20.10.2017 regarding settlement of rights under FRA 2006.

Hence it is requested that the compliance report may be forwarded to Government of India, Ministry of Environment, Forest and Climate Change, Regional Office, Bangalore for getting stage-II forest clearance for this project.

Yours faithfully,

Principal Chief Conservator of Forests
(Forest, Land & Resources) & Nodal Officer,
F(C)Act & CAMPA.

Copy to Additional Principal Chief Conservator of Forests (Central), Ministry of Environment, Forest & Climate Change, Regional Office, Bangalore for information.