

Sub: Diversion of 52.80 ha of forest land (surface forest land-47.1 ha, reiverbed-2.3 ha & underground area-2.8 ha) for construction of Tato-I Hydro Electric Project (186 MW) in West Siang District of Arunachal Pradesh.

1. The Stage-I clearance approval for the above subject proposal was granted vide this Ministry's letter dated 27.10.2015 (**Pg. 294-295/c**) subject to certain conditions prescribed therein which includes condition no. (ii) which states that:

Compensatory afforestation over 100 ha Unclassed State Forest (USF) of Arunachal Pradesh as proposed by State Forest Department and already mutated in favour of State Forest Department shall be raised and maintained by the State Forest Department at the cost of the User agency as per the guidelines issued by the Ministry vide letter No. 11-241/2013-FC dated 21st August, 2014. However, before taking up CA, additional cA land in lieu of very dense forest falling within the proposed CA area shall be identified and the State Government shall submit revised CA scheme along with the GPS references in shape file.

2. The State Govt. of Arunachal Pradesh vide their letter No, FOR. 322/Cons/2010/457-58 dated 12.04.2016 (**Pg. 296-307/c**) has furnished compliance on the condition no. 2 (ii) and 2 (iii) with shape file as stipulated in Stage-I clearance Order of even no. dated 27.10.2015. After analysis the shape file provided for additional CA by DSS Cell, it was observed that the CA site for above subject proposal was not proper since more than half of the total area proposed for diversion found as dense forest and medium dense forest. Thus, due care and diligence have not been applied by the concerned DFO and other authorities in identifying the CA sites. The proposed CA site is highly unsuitable and accordingly the State Govt. was requested vide this Ministry's letter dated 14.10.2016 and subsequent reminder 11.01.2017 (**Pg. 330-332/c**) to initiate the proceedings against the concerned DFO and submit the Action Taken Report in this regard to this Ministry. Therefore, the State Govt. has to clarify whether the proposed CA land is suitable for plantation.
3. The State Govt. of Arunachal Pradesh vide their letter no. For. 322/Cons/2010/1384-87 dated 30.10.2017 and For. 322/Cons/2010/1443-46 dated 10.11.2017 (Pg. 334-353/c) has furnished following reply in response to Ministry's letter of even no. dated 11.01.2017 (**Pg-330-331/c**) with regard to CA.

S. No.	Queries	Replies
1.	Additional C.A land in lieu of very dense forest falling within the proposed CA area shall be identified and accordingly, state Government shall submit revised CA scheme along with GPS reference in shape file.	<p>The total area of TashiPhilly VFR is 100.00 ha, out of which 8.4 ha is rocky area which is indicated in the map (pg. 341&343/c) (Annex. III)</p> <p>Additional CA land over 17 ha in lieu of very dense forest identified in TashiPhillyVFR, details of which were submitted to the Ministry vide letter dated 12.04.2016.</p>
2.	After analysis of the shape file provided for additional CA on DSS portal, it is observed that there is no such vegetation present on the proposed CA land but it is falling on the hilly rocky land as depicted through Google earth Imagery. Therefore, the State Govt. has to clarify whether the proposed CA land is suitable for plantation. Besides, the state Govt. is requested to submit complete compliance of Stage-I	<p>After alternation of boundary of CA area by excluding rocky area, the land suitable for 17.00 ha CA, which is detailed in the map enclosed in (pg. 336-346/c) Annexure – I&III with Geo – Coordinates.</p> <p>Further, copy of the site inspection report with comments of DFO, along forest Division and the site suitability of the proposed area of 17.00 ha Ca is referred in (Annexure-I) (pg. 336-339/c).</p> <p>The report of DFO, Along is self- explanatory and may kindly be seen at pg.336-337/c and conclusion given by said DFO is that : the proposed CA area in</p>

	approval.	TashiPhillely VRF is suitable for plantation with the exception of the portion identified as “ Rocky Area” in Annexure – III, a part of which falls within the 17 ha identified for CA. Further, additional land is available in the TashiPhillely VRF and alteration of the boundaries of the proposed CA area may be done to exclude this rocky area.
3.	The state Govt. is requested to initiate the proceedings against the concerned DFO and submit the action taken report.	On this issue, a re-verification of the CA site was conducted and report of the physical verification along-with observations of the DFO is attached at (Pg.344-346/c). The Observation of the DFO after site inspection is summarized below: <ol style="list-style-type: none"> 1. The area identified for CA in the year 2012 contained portions which were an abandoned jhum land. 2. The sample plots of 0.1 ha were laid at different canopy density levels. The data so gathered was analysed and it was found that trees of different species having GBH ranging 60-80 cm were found in the sample plots laid in very dense forests. 3. In the State of Arunachal Pradesh, stems up to 60 cm GBH are treated as poles and only stems above 60 cm GBH are counted as trees. Thus, the stems found in SP1 are mostly poles. 4. Most of the tree species found belonging to fast growing species. 5. In the sample plot SP2, very dense growth of bamboo was found. Further, a comparison of photos taken at a distance from the sample plot and those taken inside the sample plot reveal that while it appeared very dense from outside, the bamboo clumps contributed significantly to the density. 6. Low biotic interference present in the area contributed to a good level of growth among the trees as well as herbs and shrubs present in the area.

4. After examination of the reply of State Govt. as stated in para (3) above, Ministry vide its letter dated 21.05.2018 (Pg-361/c) further requested the State Govt of Arunachal Pradesh for submission of information on the following points:

- i. The area identified for CA was selected in 2012 was under Jhum Cultivation. The time series image was analyzed by DSS Cell of the Ministry. It was observed that only few patches seem to be under Jhum Cultivation. Time series imagery between years 2006 to 2013 is not available in Google Earth. Accordingly, the relevant data/Govt. record is required to verify the claim of the State Government about the area under Jhum Cultivation.
- ii. Shape/KML file of 17.00 ha of additional CA land has not been submitted by the State Government.
- iii. The condition-wise complete compliance on Stage-I approval dated 27.10.2015 has not been given.

5. Now, the State Govt. of Arunachal Pradesh vide their letter No, FOR. 313/Cons/2010/636-637 dated 26.04.2019 (Pg. 362-363/c) has provided the point-wise information as below:

S. No.	Information sought by Ministry	Response of State Govt.
(i)	The area identified for CA was selected in 2012 was under Jhum Cultivation. The time series image was analyzed by DSS Cell of the Ministry. It was observed that only few patches seem to be under Jhum Cultivation. Time series imagery between years 2006 to 2013 is not available in Google Earth. Accordingly, the relevant data/Govt. record is required to verify the claim of the State Government about the area under Jhum Cultivation.	In this regard it is informed by the State Govt. that the additional CA land over 17 ha in lieu of very dense forest identified in the TashilPhilly VFR. It is observed by the Ministry that few patches of the identified CA area seem to be under jhum cultivation. In this connection, the suitability report of CA land submitted by the DFO, which has been forwarded to the Ministry vide letter dated 10.11.2017 is relevant. In this regard it is to submit that TashilPhilly (identified CA area) has been declared as VFR on 6.12.2016. A copy of the Gazette Notification dated 13.01.2017 is attached at Annexure-I(Pg.364/c).
(ii)	Shape/KML file of 17.00 ha of additional CA land has not been submitted by the State Government.	The Shape file/KML file for additional (17.00 ha) of CA area proposed in lieu of very dense forest has been provided. The KML file of 17.00 ha Additional CA land has been analysed by the DSS Cell of this Ministry's and as per DSS analysis report, an additional CA land has been proposed in a single patch which falls under TashiPhilly VFR and said CA patch is characterized with Non-Forest density class in terms of standards followed in ISFR 2015 (interpretation of satellite data period 2013-2014). DSS report is placed in file at pg. 488-489/c.
(iii)	The condition-wise complete compliance on Stage-I approval dated 27.10.2015 has not been given.	In this regard it is informed by the State Govt. that the User Agency has submitted condition-wise complete compliance report on Stage-I approval issued by the Ministry vide F.No.8-102/2013-FC dtd.27/10/2015. The condition-wise compliance report as attached may kindly be seen at pg.366-369/c. The copy of revised Scheduled Tribes and Other Traditional Forest Dwellers (Recognition of Forest Rights) Act, 2006 certificate issued by the D C, West Siang District vide letter no LM/WS-3/VELCAN/TATO-I HEP dated 31.07.2013 along with all necessary certificates/documents as given is placed in file at pg.400-487/c. The compensatory levies for Stage-I approval dated 27.10.2015 have not yet been deposited, thus the compliance is in-complete.

6. The State Govt. further informed that that a proposal has been submitted by M/s Siyota Hydro Power Private limited seeking permission for relocation of "PH quarry site of 0.5 ha from Heyo to Padusa village and "Intake quarry site" of 0.3 ha from Gapo to Meying village as it do not fulfill the technical requirement of the project and found not useful for construction purpose. These quarries have been proposed to be relocated with same area to Padusa&Meying village respectively. The said relocated new two quarry sites fall in Unclassified State Forest (USF) and there is no change in diversion of forest land of 52.8 ha for construction of Tato-I Hydro Electric Project (186 MW).The proposed change in land & layout plan is against the spirit of conditions mentioned at S.No. xiii & xiv of Ministry's In-principle approval letter dtd. 27.10.2015.

In view of above, the approval of this Ministry is required for change in location of PH quarry site of 0.5 ha. from Heyo to Padusa village and intake quarry of 0.3 ha from Gapo to Meying village.
