

Central Information Commission Rejects CWC stand on keeping the back water level study secret

CIC orders CWC to disclose the Almatti study in public interest

In a significant order for transparency in water resources information, the Central Information Commission has asked the Central Water Commission (an Attached office of the Union Ministry of Water Resources) to disclose the back water level study of the Almatti and Hippangi Reservoirs on Krishna River in Karnataka in public interest under the RTI act. The CWC had earlier refused to make the report public claiming that the information is of commercial confidence under section 8(d) of RTI Act, 2005. In its order dated Feb 8, 2011 (see CIC website at: http://www.rti.india.gov.in/cic_decisions/CIC_SS_A_2010_000488_M_51725.pdf and on SANDRP website at: http://www.sandrp.in/dams/CIC_Order_Backwater_Studies_080211.PDF), following an appeal by South Asia Network on Dams, Rivers & People, the CIC has rejected this contention of CWC. This is a critical set back for the water resources establishment and we hope this helps them correct the path towards greater transparency.

The relevant portions of the CIC order says, “The Commission is of the view that there is no question of intellectual property or commercial interest of anybody and therefore section 8(1) (d) of the RTI Act is not applicable in this case... The Commission agrees with the contention of the Appellant that disclosure of this information is in the public interest. Moreover, the disclosure of this information would promote the cause of transparency and accountability which is the basic objective of the RTI Act.”

In a shocking revelation, the CWC, in response to the RTI said that CWC, which calls itself India’s premier technical body on water resources development, has no guidelines on assessment of backwater impact or backwater level studies of dams. CWC happens to be the apex technical body in water resources and all major water resources projects are recommended for techno economic clearances based on its recommendations and the Planning Commission also provides investment clearance only after approval of such techno economic clearances. India has over 5100 large dams and each of such dams has backwater impacts. The backwater impacts of larger projects like Almatti, Polavaram, Sardar Sarovar and Indira Sagar can affect thousands of people. In that context, for the CWC to acknowledge that it has no principles or guidelines for assessing backwater impacts reflects miserably on the state of affairs in water resources development in India.

The Central Water Commission and the Union Ministry of Water Resources are known for their non transparent, non participatory and unaccountable functioning. We hope that such orders under the RTI act will bring significant changes in this state of affairs. We hope the water resources establishment will use such opportunities to bring in more open, inclusive and participatory way of functioning in the water resources establishment.

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