



# Issue Brief

## Opening Up Access to Information on Transboundary Rivers in India: Review of Proactive Disclosure of Information

### Executive Summary

This issue brief – the second in a series of three – summarizes the findings of a study conducted by the Legal Initiative for Forest and Environment (LIFE) on the availability and accessibility of hydrological data and information on two transboundary rivers in India – the Sharda and Kosi.<sup>1</sup> Specifically, this issue brief reviews and assesses the extent to which government departments and agencies in India are proactively releasing hydrological data and information related to these rivers. As a party of the study, the information disclosure practices of national and state level departments and agencies were examined. At the state level, these included government departments in Uttarakhand and Uttar Pradesh (for the Sharda River) and Bihar (for the Kosi River). The availability of hydrological data and information for the Sharda and Kosi rivers was assessed along three parameters – stream flow, sediment flow, and proposed and existing hydro-engineering structures.

Best practices, as well as gaps, were identified in the regime of proactive disclosure of hydrological information regarding these transboundary rivers. The findings reveal that there is recognition of the need for better and more comprehensive disclosure of data (including hydrological data) by government ministries and agencies – as reflected in the provisions of the Right to Information Act 2005, Hydro-Meteorological Data Dissemination Policy 2013 as well as the National Water Policy 2012. However, there is a high level of opacity and restrictions on the access, use and sharing of data in the context of transboundary rivers.

Recommendations include reforming law and policy and providing specific mandates to government departments for collection and disclosure of hydrological data and information. Further, due to the multiplicity of departments and institutions at the national and state levels, each with a mandate on water resources management, the information that is publicly available is frequently piecemeal and

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incomplete. There is therefore a need for standardization of data, and for its presentation in user-friendly accessible formats. In addition, there should be frequent appraisal, as well as social audit of the performance and impact of hydro-engineering structures and information regarding rivers.

## Assessment of Legal Requirements for Proactive Disclosure of Information

### 1. Laws on Dissemination of Data and Information

#### Right to Information Act 2005

The Right to Information Act 2005 (RTI Act) was enacted to foster greater transparency and accountability in government and to empower citizens with the right to demand and access information held by different public authorities. In this spirit, under the law, every public authority has a duty to maintain all its records in an organized manner, and proactively disclose, *inter alia* the rules, regulations, manuals, records;<sup>2</sup> and categories of documents that are held by it or under its control;<sup>3</sup> and details in respect of the information, available to or held by it.<sup>4</sup> Public authorities are also required to publish all relevant facts while formulating important policies or announcing the decisions which affect public.<sup>5</sup> In addition to the positive duty cast upon public authorities, it is mentioned that “it shall be a constant endeavor of every public authority to take steps ... to provide as much information *suo motu* to the public at regular intervals through various means of communications, including internet, so that the public have minimum resort to the use of this Act to obtain information.”

Exemptions to disclosure of information are specifically listed in Section 8(1) of the RTI Act and include information, the disclosure of which would prejudicially affect the sovereignty and integrity of India, the security, strategic, scientific or economic interests of the country, relations with foreign countries<sup>6</sup> and information received in confidence from foreign governments.<sup>7</sup> The RTI Act also exempts intelligence and security organisations which are specified in the Second Schedule.

In addition to the RTI Act, there are sectoral laws that include provisions for disclosure of information including:

**Electricity Act 2003:** The Act lays out the functions of the Central Electricity Authority (CEA) which include collecting and recording the data regarding generation, transmission, trading, distribution and utilization of electricity and carrying out various studies. It also provides for making public the information and reports held or generated by it.<sup>8</sup>

**Environment Impact Notification, 2006, Environment (Protection) Act 1986:** The Notification provides for public disclosure of information regarding projects as a part of the process of obtaining environmental clearance (EC) for new projects, as well as expansion or modernization of existing projects.<sup>9,10</sup> The judgment of National Green Tribunal in *Save Mon Region Federation vs Union of India*,<sup>11</sup> held that the Environmental Clearance letter and other conditions for construction and operation of the project as imposed, are all public documents and should be proactively made available to public. The Notification also provides for Post Environmental Clearance Monitoring in the form of half-yearly compliance reports in respect of the terms and conditions stipulated in the environmental

clearance, and states that all such compliance reports are public documents, and the latest compliance report should be displayed on the web site of the concerned regulatory authority.<sup>12</sup>

## 2. Government Policies on Dissemination of Data and Information

### National Data Sharing and Accessibility Policy (NDSAP) 2012

Recognizing that large volumes of different types of data are collected by various government ministries and departments at the national and state level, and the fact that the lack of data in a systematic and standardized format poses a serious challenge, the Government of India formulated the National Data Sharing and Accessibility Policy, 2012.<sup>13</sup>

In its Preamble, the Policy mentions Principle 10 of the Rio Declaration, as well as the provisions under the RTI Act that call for greater degree of proactive disclosure. It also states that: *“A large quantum of data generated using public funds by various organizations and institutions in the country remains inaccessible to civil society, although most such data may be non-sensitive in nature and could be used by the public for scientific, economic and developmental purposes”*.

The Policy recommends departments and ministries to prepare a “negative list” within six months of notification of the Data Sharing Policy, and to make all sharable data available. However, the policy does not provide any guidance on the basis of classification of data.

### Hydro-Meteorological Data Dissemination Policy 2013

In 2013, the Ministry of Water Resources (MoWR) notified the Hydro-Meteorological Data Dissemination Policy.<sup>14</sup> The Policy lists the available hydro-meteorological data in the country including data on river water level, river discharge, sediment flow and water quality. The policy also lays down the classification of hydro-meteorological data, and states that the hydrological data of all rivers and tributaries discharging into Pakistan, Bangladesh and Myanmar are considered “classified”.<sup>15</sup> In effect, this includes all the northern rivers and their tributaries. Interestingly, even prior to the notification of the Policy, the MoWR, typically considered data of river systems connected with the transboundary rivers, as classified.<sup>16</sup> The Policy outlines a specific procedure for accessing classified data which includes that a written request be made to the concerned Chief Engineer of the Central Water Commission (CWC), stating the specific purpose for which the data is required. The request must be accompanied by a signed secrecy undertaking. Each request is reviewed by a Classified Data Release Committee.<sup>17</sup>

The Policy also places certain barriers to access: unclassified data is non-transferable and forbidden from being reproduced in any report, publication, Detailed Project Report (DPR), etc. Only inferences drawn from it can be published. Also, while data is available to Indian non-commercial users free, it comes at a steep Rs. 75,000 per site per annum for foreign users, including non-commercial users. All unclassified data is required to be hosted on the India-WRIS website, and can be downloaded for free. Any unclassified data not available on the website can be obtained free of cost from the concerned departments on request. Only costs towards printing, photocopying, digital media, etc., as payable for providing information under RTI Act would be charged for this. The Policy also clarifies that the reservoir water level, live storage position, water quality, groundwater and meteorological data for all

regions are unclassified. Similarly, all metadata, yearly average data and historical important data (such as highest flood level, yearly flood peak, etc.) are unclassified.

## National Water Policy 2012

The National Water Policy 2012 contains a section on database information and systems and mentions that all hydrological data, other than those classified under "national security" grounds should be available in the public domain. It also asks that periodic reviews for further declassification of data be carried out. Finally, it underlines the critical need for better quality hydrological information for better management of water, factoring in sensitivity to climate change.<sup>18</sup>

## Overview of Institutions and Practices

To determine the extent to which government agencies proactively disclose data and information on the Sharda and Kosi rivers, a select number of government agencies at the national, state and local level were assessed.

### 1. Overview of Institutions and Practices

The proactive disclosure practices of the national level institutions, as required under the RTI Act, as well without any specific legal mandate is presented in Table 1 below:

**Table 1. Proactive Disclosure by National Level Institutions**

	Proactive Disclosure Under RTI Act	Quality of Proactive Disclosure of Information Under RTI	General Quality of Proactive Disclosure
<b>Ministry of Water Resources</b>	Easy to locate	Broad statement of categories - links to documents/information not provided	Contains a fair overview of different projects and initiatives. The activities related to flood management are provided in greater detail.  Contains the relevant legislations.  Mentions the river management activities and works related to border areas a central sector scheme conceived during the XI Plan.  It also provides a very brief overview of bilateral relations on transboundary rivers. However, these are very brief and cursory.
<b>Central Water Commission</b>	Easy to locate	Broad statement of categories - links to documents/information not provided  Hydrological data mentioned to be "classified"	It contains reports, legal instruments, guidelines and documents  Minutes of the TAC (Technical Advisory Committee) are available  Reservoir level and storage - data available region-wise, not project-wise; however, it is not in a friendly and accessible format  Contains a National Register for Large Dams
<b>Ministry of Environment and Forests</b>	Moderately easy to locate	Updated information on environmental clearance and forest clearance available. Information about other aspects not very detailed and comprehensive	Contains the rules and regulation, guidelines and documents relating to good practices and schemes and programmes are available
<b>Central Electricity Authority</b>	Moderately easy to locate	Links to most of the documents/information not provided.	Documents relating to best practices, as well as yearly reports of the performance of hydro-power stations are available on the website

### *The India-WRIS Project*

In 2009, the CWC, MoWR and the Indian Space Research Organization (ISRO) launched the India-Water Resources Information System (India-WRIS) project to provide a single-window solution for comprehensive data and information of India's water resources with allied natural resources in a

standardized national GIS framework.<sup>19</sup> The website allows users to visualize the data and choose spatial layers and information criteria like water quality, land use, infrastructure, etc. The present portal contains 12 major information systems, 35 sub-information systems with 95 spatial layers along with large attribute data of the water resources assets and temporal data of 5-100 years. The website also allows access to live telemetry data. This information system provides real-time information about various observation parameters such as water level, rainfall, air temperature, wind speed, wind direction and solar radiation measured at the telemetry stations of the Central Water Commission. However, this can be accessed by non-officials only for the observation stations in peninsular India. The data for all the northern sites are classified and available only to CWC officials.

## **State Level**

At the state level, institutions in Uttar Pradesh and Uttarakhand were studied for the Sharda, and institutions of Bihar were studied for the Kosi.

### ***Uttar Pradesh***

The website of the Irrigation Department is fairly detailed and contains information regarding projects and concerned offices. However, proactive disclosure under the RTI Act is not very strong. The website of the Environment Directorate, is fairly informative, and contains links to other web-based portals, the UP Pollution Control Board and the ENVIS website,<sup>20</sup> which contains details of projects. However, proactive disclosure under the RTI Act, here too, is not very strong. The website only mentions that the rules and regulations established at the level of the national government are followed and records are maintained with the respective divisions.<sup>21</sup>

### ***Uttarakhand***

The RTI disclosure websites of the agencies in Uttarakhand—such as the Uttarakhand Irrigation Department, the Environment Protection and Pollution Control Board and the Watershed Management Directorate – are descriptive. Most websites have manuals under the RTI which compile the information relating to various departments and laws, policies and memorandums. In terms of proactive disclosure of hydrological or other information relating to the rivers, not very strong.

### ***Bihar***

In Bihar, the website of Bihar Water Resources Department – the nodal agency for water resources management – is fairly informative. It contains details of projects and land and water use. It also contains a section on “international issues”, which includes the Kosi, Gandak and Ganga Treaties as well as meeting minutes of the Joint Committee on the Kosi and Gandak Projects. The website of the Environment and Forest Department provides information on rules/regulations, different schemes and publications are available. Proactive disclosure of information under the RTI Act, by both departments is quite limited.

## 2. Assessment of proactive disclosure of information regarding the selected basic parameters

Proactive disclosure of information of government institutions was studied along three core parameters: i) stream flow data, ii) sediment flow data and iii) details of hydro-engineering structures. In total, nine public authorities were studied for information on the identified parameters for Sharda and Kosi. A list of institutions as well as the information analyzed is presented in Table 2 below:

**Table 2. Proactive Disclosure of Hydrological Data by National and State Level Institutions.**

Indicators	Institutions	Role/Mandate of the Institutions	Information Studied
Stream flow data	Central Water Commission	The hydrological observation stations of the CWC collect data on gauge, discharge, silt, sedimentation, water quality and water flow regularly. Data from non-classified sites are published in the Integrated hydrological data book yearly.	Monthly average stream flow for the past 30 years
Sediment flow data	Central Water Commission	The hydrological observation stations of the CWC collect data on gauge, discharge, silt, sedimentation, water quality and water flow regularly. Data from non-classified sites are published in the integrated hydrological data book yearly.	Monthly average sediment flow data
Details of hydro-engineering structures and Environment Impact Assessment Reports for existing and Proposed projects	Central Water Commission	The CWC maintains a national registry of large dams The India-WRIS portal also contains details of hydro-engineering projects. This can be viewed on a GIS platform as well  Maintains a record of hydro-electric projects and their performance	Hydro-engineering structures on the Sharda Sharda Canal Project Sharda Sahayak Irrigation Project Dhauliganga Project on the Dhauliganga
	Central Electricity Authority	Contains the record of the projects and the status of their environment clearance.	Tanakpur Power Station of the NHPC Ramganga Hydroelectric Project
	Ministry of Environment and Forests	Water is a state subject. Details of irrigation projects are maintained at the state level as well	Khatima Hydroelectric Project
	State-level water/irrigation departments		Hydro-engineering structures on the Kosi Kosi Barrage and Eastern Canal Major Project Kosi Eastern Canal Phase II Western Kosi Canal Kosi Hydel Power Station Embankment along the Kosi Dagmara Hydroelectric Project

## Proactive Disclosure of Information

### 1. Where is the Information Available?

The information at the national level and state level is available mostly on official department websites as well as at the local level offices. Most of the information is available in paper format in the form of reports or leaflets. Among the three states studied, Uttarakhand maintained information in electronic format to a greater extent than Bihar and Uttar Pradesh. In most local level offices, especially the offices of the operation of the Tanakpur Barrage, Banbasa Barrage and Kosi Barrage – information is displayed outside the office and near the project site. Some information that was maintained at the project office was also made available to researchers for inspection, however it was difficult to try and get copies of the information.

## 2. Availability of Information at National and State Levels

Basic information is available proactively for most of the hydro-engineering structures. However, information regarding stream flow and sediment flow are not available proactively for the selected stretches of the rivers considered for the study. For instance, the website of the Central Water Commission, states: “Hydrological data of Ganga, Brahmaputra and Indus basins and related water year books” are classified.<sup>22</sup> Furthermore, the multiplicity of institutions at both the national and state levels has resulted in disparate quality and timeliness of data. For instance, information on electricity generation maintained and published by the Central Electricity Authority is fairly updated and comprehensive. However information on irrigation projects (maintained and published both at the national and state levels) is incomplete in many respects. The difference in the information maintained and disclosed by different agencies is outlined with a comparative study of the hydro-engineering structures on the Sharda and Kosi rivers as highlighted in Table 3 below.

**Table 3. Proactively disclosed information regarding the Sharda**

Hydro-engineering Structure	Institution	Proactively Disclosed Information	Comments
Sharda Canal Project	Central Water Commission, Ministry of Water Resources	Information available on the India-WRIS website Important aspects like gross-command area, district-wise area irrigated and number of beneficiaries not included. The quantity of water utilized/extracted from the river are also not mentioned	
	Uttar Pradesh Irrigation Department	Information available on the website of the irrigation department. More detailed information, including the length of the canal and irrigation area is available	
Sharda Sahayak Project	Central Water Commission, Ministry of Water Resources	Information available on the India-WRIS website Important aspects like gross-command area, district-wise area irrigated and number of beneficiaries not included. The quantity of water utilized/extracted from the river are also not mentioned	
	Uttar Pradesh Irrigation Department	Information available on the website of the irrigation department More detailed information including the length of the canal and irrigation area are available. The information is not updated	
	Planning Commission of India	Evaluation study of the Sharda Sahayak Project by the Planning Commission (2007) is available on the website <sup>23</sup>	
Tanakpur Power Station	Central Water Commission, Ministry of Water Resources	The India-WRIS website mentions the Project, but provides a dead link	
	NHPC	Layout and features are available on the website of the NHPC. However, the information of the current performance is not available	
Dhauliganga Power Station	CWC, MoWR	Information available on the WRIS website Details like maximum water level, full reservoir level, number of families affected is left blank. The installed capacity and the power generated is not mentioned. Furthermore, there is no information of the people or areas affected.	The Dhauliganga was affected by the floods in June, 2013. The impact of this is not mentioned at all.
	NHPC	Layout and features are available on the website of the NHPC. However, the information of the current performance is not available	
Ramganga Power Station	CWC, MoWR	The India-WRIS website contains a mention of the Project, but provides a dead link	

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Khatima Power Station	CWC, MoWR	The India-WRIS website contains a mention of the Project, but provides a dead link	
	Uttarakhand Jal Vidyut Nigam Ltd	Location, installed capacity and power generation of the project is available on the website	
Eastern Kosi Canal	CWC, MoWR	Information available on the WRIS website Some important information regarding area of irrigation is not available. Details of the restoration of Eastern Kosi Main Canal and its system after 2008-flood damages also not available	The project is ongoing. The present and updated status is not available
	Bihar Water Resources Department	Detailed information regarding the Eastern Kosi Canal is not available – only certain information regarding the restoration of the Eastern Kosi Canal is available	
Western Kosi Canal	CWC, MoWR	Information available on the India-WRIS website The latest status of the project is not clear (for example - the irrigation potential created is updated only till 2011). The total plan of the project with the cost and time overruns, if any, are not available	The project is ongoing. The present and updated status is not available
	Bihar Water Resources Department	Data on the western canal, published on the website of the Department, is fairly comprehensive	
Kosi Power Station	Bihar Hydroelectric Power Corporation Ltd. (BHPCL)	The website provides the salient features of the Project. No information is available on the actual performance of the project	
Dagmara Power Station (proposed)	MoEF	The website of the MoEF mentions that the proposal for the project was received in 2007, and it is awaiting the Terms of Reference of the Expert Appraisal Committee. No other information is provided.	
	BHPCL	Information available on the website is fairly descriptive. However, it does not mention the costs of the project, or the number of people/households to be affected by the Project The status of the proposed project is not stated	
Kosi Embankments	Bihar Water Resources Department	Only the length of the embankment, flood prone area and protected area are provided. No maps are provided to indicate the exact location of the embankment and the protected area. Further, there is no data regarding the relief and rehabilitation provisions and status.	

### 3. Good practices

#### *GIS representation on the WRIS website*

The WRIS website provides the information with GIS representation. This makes the portal user-friendly, as well as provides the viewer with a comprehensive picture.

#### *Clearances, studies and supporting documents of projects*

The website of the Ministry of Environment and Forests contains a dedicated portal for tracking the process of environment clearance of projects, including river valley and hydro-electric projects. This not only gives an idea of the status of the project, but also provides the relevant documents and supporting studies conducted in respect of the project in one place.

### 4. Proactive Disclosure: Overview and Gaps

From the assessment above, some of the observations are

- In India, there are no sector-specific provisions outlining the method and type of hydrological information. The National Water Policy and the Hydro-Meteorological Data Dissemination

Policy identify the issue in broad terms. However, especially in the context of northern rivers, the legal mandate for collection and proactive disclosure of information is weak.

- The provisions for proactive disclosure under the RTI Act are worded in broad terms, and tend to get weak, in fact proactive disclosure under the RTI Act is not very strong, especially at the state level. The only specific requirements for proactive disclosure of information are regarding the data on generation of electricity (as per the Electricity Act, 2003) and the environment clearance of projects as per the EIA Notification, 2006. It may also be noted that for most of the projects, including the Tanakpur Barrage and the Kosi Barrage, the documents of environment clearance and Environment Impact Assessment are not available because they were constructed before 1994 i.e., before the EIA process was introduced in India. The disclosure of information on the India-WRIS portal is a step in the right direction.
- Since there is no legal mandate of the type and quality of data collected and disclosed proactively, there is a vast divergence in the quality and type of data maintained at different levels. This also contributes to the fact that the data is generally not comprehensive, nor updated in a timely manner.

## Conclusion and Recommendations

- Proactive disclosure under the RTI Act is weak and worded very broadly. In practice, proactive disclosure practices contain an inventory of documents, rules and regulations. However, the disclosure of information and records held and collected by the departments and institutions is not adequate.
- Within this framework, it has been observed that the RTI disclosure for national-level organizations is stronger than at the state level. Within the states, of the three studied, the best practices with respect to RTI disclosure was found in Uttarkhand, while the weakest was in Uttar Pradesh.
- There is little or no specific legislative mandate for the collection and disclosure of hydrological information. The only exceptions to this are the provisions of the Central Electricity Act, and the EIA Notification 2006.
- The National Water Policy and the Hydro-Meteorological Data and Dissemination Policy place a clear onus of both collection and disclosure of information. This is a step in the right direction. However, the inherent ambiguity and arbitrariness of classified information under the Hydro-Meteorological Data Policy creates a system of opacity vis-à-vis hydrological data for the entire drainage area of the northern rivers of India
- Multiple institutions at the national and state levels – without clear delineation of duties or coordination amongst each other – have unfortunately translated to scattered, piecemeal and often outdated information that is very basic in nature.
- The data is not available in user-friendly inter-operable format and on a uniform level, making modeling and further analysis rather difficult. This need has been recognized in Government

policies, but has not completely translated into actions. The India - WRIS project is a step in the right direction, but it needs to be strengthened to a much greater degree.

Some of the best practices and commendable initiatives observed are:

- o Most of the information is available free of cost on official websites. The India - WRIS project also provides the information in a GIS platform.
- o The portal of tracking environment clearance presents the information in a largely organized manner.

These practices should be adopted across different agencies responsible for water governance.

## **Recommendations**

- The National Water Policy and the Hydro - Meteorological Data and Dissemination Policy spell out the onus of government for both collection and disclosure of water related information. This should be recognized at more than a mere policy level, and find reflection in legislation with clear guidelines on classification and dissemination of information, in line with the provisions of the RTI Act.
- The RTI Act contains wide provisions for proactive disclosure. This should be taken forward to have comprehensive information in a standardized manner across institutions.
- Data should be collected and maintained in a standardized format, and presented in an interoperable and accessible format.
- Better collection and disclosure of information which affects the local populations is required – for instance, the rate and timing of water available for irrigation, areas serviced by irrigation projects, number of households affected by the proposed project, etc.
- There should be frequent and regular appraisals of the projects on and along the rivers. For instance, the evaluation study of the Sharda Sahayak Canal by the erstwhile Planning Commission throws up some interesting observations about the actual performance of the projects. Such evaluations should be made mandatory in a systematic way and the findings should be made available.
- There should be provisions for social audit of projects and information regarding rivers.

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The Legal Initiative for Forest and Environment (LIFE) comprises of groups of lawyers working on issues of environmental democracy. It aims at creatively using the existing legal framework and institutions in protecting areas of vital ecological importance. LIFE works nationally with local groups, individuals and communities through a unique combination of litigation, investigation, information dissemination, capacity building and supporting campaigns and movements. More information is available at: <http://waterbeyondborders.net/index.php/en/>

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## Endnotes:

1. In June 2013, The Asia Foundation (TAF) with support from the Skoll Global Threats Fund and in partnership with the World Resources Institute and civil society organizations in Bangladesh, India and Nepal, initiated a project to promote and strengthen transparency and access to data and information on transboundary water governance in South Asia. Over a 15-month period, TAF and its partners assessed the availability of data and information relating to three transboundary rivers in Bangladesh, India and Nepal, while building the capacity of civil society and the media to utilize transparency tools and mechanisms – including the right to information – to push for greater access to data and information on water and climate issues, and disseminate this information within the region. In India, TAF partnered with LIFE to implement the project.
2. Section 2 (1) (b) (v), RTI Act
3. Section 2(1) (b) (vi), RTI Act
4. Section 2 (1) (b) (xiv), RTI Act
5. Section 2(1) (c), RTI Act
6. Section 8(1) (a), RTI Act
7. Section 8(1) (f), RTI Act
8. Section 73 (i), (j), Electricity Act, 2003
9. The type of projects, as well as the process of environmental clearance is outlined in the Notification
10. The provisions dealing with "Public Consultation" states that the State Pollution Control Board (SPCB) or the Union Territory Pollution Control Committee (UTPCC), as the case may be, is required to publish on its website the Summary EIA report to invite responses from concerned persons. Paragraph 7(III)(vi), EIA Notification (2006)
11. M.A. No. 104 (2012)
12. Paragraph 10 (ii)
13. The Department of Science and Technology is the nodal department for all matters connected with the overall coordination, formulation, and implementation and monitoring of the policy.
14. The Hydro-Meteorological Data Dissemination Policy also contains references to the Rio Declaration, the RTI Act as well as the Data Sharing Policy in its Preamble. A release about the Policy was made on 14 May, 2013. Press Information Bureau, Ministry of Water Resources released Hydro-Meteorological Data Dissemination Policy (2013)
15. The Policy divides the river systems of the country into three regions:  
Region-I: Indus basin & other rivers and their tributaries discharging into Pakistan;

Region-II: Ganga-Brahmaputra-Meghna basin & other rivers and their tributaries discharging into Bangladesh/Myanmar; and

Region-III: Remaining other rivers and their tributaries.

The policy goes on to state that the data of Region-I and II, which comprise all of the northern rivers in India, are classified. The data of Region-III is unclassified.

16. This is evident from a response of the MoWR to a second appeal under the RTI Act, uploaded on the MoWR website which states, "As per the existing policy, hydrological data of the Ganga, Brahmaputra and Meghna basins are to be kept as classified". Decision of CIC in Case no. CIC/AT/A/2009/0026 (June 2, 2009)
17. The composition of the Classified Data Release Committee was amended in October, 2013. The original composition included Joint Secretary (PP), MoWR (Chairman), Joint Secretary/Director, MEA, Concerned Commissioner (Indus/Ganga/B&B), MoWR, Director (River Data Directorate), CWC. The reconstituted Classified Data Release Committee includes Chairman, CWC; Member (RM), CWC; Representative of MEA; Representative of IB; Representative of Research and Analysis Wing; Representative of MoD; Concerned Commissioners (Ganga/Indus/B&B); Director General, National Water Development Agency; and Chief Engineer (P&D), CWC
18. National Water Policy, 2012, states:
  - 14.2 In view of the likely climate change, much more data about snow and glaciers, evaporation, tidal hydrology and hydraulics, river geometry changes, erosion, sedimentation, etc., needs to be collected. A program of such data collection needs to be developed and implemented.
  - 14.3 All water-related data, like rainfall, snowfall, geo-morphological, climatic, geological, surface water, ground water, water quality, ecological, water extraction and use, irrigated area, glaciers, etc., should be integrated with well defined procedures and formats to ensure online updation and transfer of data to facilitate development of database for informed decision making in the management of water.
19. The Project was developed under the plan "Development of Water Resources Information System", started in 2007. The website was launched on 10 December, 2009. Press Information Bureau, Development of Water Resources Information System, (May 17, 2010)
20. <http://upenvis.nic.in/Home.aspx>
21. <http://environment.up.nic.in/rti.html>
22. [http://www.cwc.nic.in/main/webpages/rti/rti\\_item14.html](http://www.cwc.nic.in/main/webpages/rti/rti_item14.html)
23. Report No. 198, Programme Evaluation Organization, Planning Commission of India (2007). Available at [http://planningcommission.nic.in/reports/peoreport/peoevalu/peo\\_ssp.pdf](http://planningcommission.nic.in/reports/peoreport/peoevalu/peo_ssp.pdf)



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