

AIC decision on appeal #1

CASE NUMBER AI0199

DOCUMENTS RELATING TO THE RAMPUR HYDROPOWER PROJECT IN INDIA

(Decision dated August 25, 2010)

1. On July 29, 2010, the Secretariat to the Access to Information Committee (the "Secretariat") received an application (the "Application") filed on a "public interest" basis appealing the Bank's decision to deny access to "copies of supervision reports, mid term reviews, back to office reports regarding the Bank funding for the Rampur Hydropower project in Himachal Pradesh in North India, including agenda notes and minutes of the meetings held in this regard". The Bank had denied access to the information based on the "deliberative" exception under the Bank's Access to Information Policy (the "Policy").

2. The Application also stated that the "information requested is crucially required for the affected people to monitor the project implementation and also for the citizens to know how the public money and public resources are being used". On July 30, 2010, additional information to the Application was provided as follows:

"In addition to earlier filed appeal in this case, I am also adding this, since the appeal form allows only one of the two options, where as in this case both options are valid. The Bank's claim that this is deliberative information is incorrect. The project has already been approved and is already under implementation for many years and this information is important for people to know what is the status of implementation with respect to various issues. This information cannot be denied this is deliberative, since this information is not to be used to deliberate about fresh approvals, but to know about this ongoing projects."

3. Pursuant to the Policy, a requester may file an appeal on a "public interest" basis if the requester is able to make a public interest case to override the Policy exceptions that restrict the information requested (limited to the following exceptions: Corporate Administrative Matters, Deliberative Information, and certain Financial Information). In reviewing the Application in accordance with the Policy, the Access to Information Committee (the "AIC") found that no mid term review has been carried out yet and information on India's Hydropower Development is publicly available through the following websites:

<http://go.worldbank.org/41TM8Z74C1>

<http://go.worldbank.org/AY5GRAVA10>

<http://go.worldbank.org/NXNDKYY2S0>

<http://go.worldbank.org/GVEB16YO90>

http://www.sjvn.nic.in/projects/projects_rampur.asp

Additionally, the AIC found that there is a Public Information Centre (the "PIC") located in Bayal village which has been functioning since 2006. The PIC also has publicly available information on India's Rampur Hydropower Project.

4. In view of the above, the AIC found insufficient public interest basis for overriding the "deliberative" exception of the Policy restricting the requested information and decided to confirm the Bank's prior decision to deny access to the requested information. As your appeal in respect to the requested information is a public interest case to override an exception of the Policy the decision of the AIC is final.