



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



MERC/ADM/RTI/033/2021/0292



Dt. 07.07.2021

To,
Shri Samudre Santosh Bhila,
At.Post – Lamkani,
Tal and Dist. – Dhule,
Pin:- 424307.
Email:- samudrevijay24@gmail.com

Subject : Your application dated 13.04.2021 submitted under RTI Act 2005.

Your application has been transfer from CERC vide its letter No. ADMIN-11037/1/2019-CERC/RTI CELL dated 15th April, 2021 under section 6 (3) RTI Act 2005 to the Public Information Officer, Maharashtra Electricity Regulatory Commission, Mumbai. The office of the Commission is in receipt of your application Dated 12.05.2021 under section 6 (1) RTI Act 2005 seeking information by the PIO as under:

You have sought information is nature of justification/clarification the PIO is not supposed to answer the justification/clarification. As per the RTI Act, 2005 the PIO is not authorised to research or conclude any information sought by the applicant. The relevant section 2(f) of RTI Act 2005 is reproduced below:

“Section 2(f) of the Act ‘Information’ means ‘any material in any form’. Ministry of Personnel, Public Grievances & Pensions Department of Personnel Training No. 11/2/2008-IR dated 10th July, 2008. Careful reading of the definition of ‘Information’ and ‘right to information’ makes it clear that a citizen has a right to get the material, inspect the material, take notes form the material, take extracts or certified copies of the material, take samples of the material, take the material in the form of diskettes etc. The PIO is required to supply such material to the citizen who seeks it. The Act, however, does not require the PIO to deduce some conclusion from the ‘material’ and supply the ‘conclusion’ so deduced to the applicant. The PIO is required to supply the ‘material, in form as held by the public authority and is not required to do research on behalf of the citizen to deduce anything from the material and then supply it to him”.

However, your quires you may kindly refer Commission Tariff Order of MSEDCL Dt. 30.03.2020 in case no. 322 of 2019, which is available in downloadable format on Commission’s websites www.merc.gov.in.

As per the Hon’ble CIC decision No. CIC/YA/A/2014/000379/SB Dated 19.09.2016 in the matter of Shri. K. Lall Vs M. K. Bagri, Assistant Registrar of Companies and CPIO, Appeal No.

CIC/AT/A/2007/00112, dated 12.04.2007, since the same is available in public domain, the PIO is not obliged to provide the same to the appellant under the RTI Act.

Please note that your application is not disposed off within the time bond as per the RTI Act 2005. Because of all over States are lockdown due to COVID-19.

Shri Anil Kumar Ukey, Director (Legal) In-charge is the first Appellate Authority for the purpose of Appeal under Sub- Section (1) of section 19 of the Right Information Act, 2005. Address: Maharashtra Electricity Regulatory Commission, World Trade Centre, Centre No.1, 13th Floor, Cuffe Parade, Mumbai - 400005 Tel. No. 022-22163964/65/69. Email: anilkumar.ukey@merc.gov.in.

Yours faithfully,



(Pradeep Mohare)

Public Information Officer & Section Officer

Copy to:-

Shri Sachin Kumar, Nodal Officer (RTI),
CERC, Ground Floor,
Chandralok Bldg., 36, Janpath,
New Delhi - 110001.