



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



MERC/ADM/RTI/034/2021/0286

Date: 05.07.2021

To,

Shri. Deepak Tiwari,
B101, Rashmi Harsh, Shanti Vidyanagree,
Hatkesh, Mira Bhayander Highway,
Mira Road (E), Pincode - 401107
Email:- tiwarideepak1981@gmail.com

Subject : Your application dated 19.05.2021 submitted under RTI Act 2005.

Sir/ Madam,

Your application has been transfer from Deputy Secretary (R&R), Ministry of Power, New Delhi vide its email dated 01st June, 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 email Dated 01.06.2021 under section 6 (1) RTI Act 2005 seeking information by the PIO as under:

| No | Information Sought | Information Provided |
|----|--|---|
| 1 | <p>Complaint against Tata Power Consumer No. 900001057329</p> <p>This is inform you that the TATA Power has increased the per KW consumption tariff charges w.e.f., April 2021, My bill which was 1800 per month is now exactly doubles.</p> <p>On what grounds did they increased the rate? Why no body bothered to inform the customers ? If it was informed then via which channel?</p> <p>If it was not informed and as per contract, why were consumer not informed? and most importantly Mr. Ratan Tata being a high donater across the city, loots money in this aspect... Do you even have courtesy to address this?</p> | <p>Information has sought is nature of justification/ clarification the PIO is not supposed to answer the justification/ clarification.</p> <p>Accordingly, as per your query Tata Power is levying the tariff to the consumers as per the MYT Tariff Order in Case No. 326 of 2019 dated 30 March, 2020. Which is available in public domain on the website of the Commission.**</p> |

** Please note that above Regulations and details is available in public domain on the Commission website in downloadable format on 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.

According to 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 from 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.

Ministry of Personnel, Public Grievances & Pensions Department of Personnel Training No. 1/7/2009-IR dated 1st June, 2009. Information cannot include within its fold answers to the question "Why" which would be same thing as asking the reason for a justification for a particular thing. The PIO cannot expect to communicate to the citizen the reason why a certain thing was done or not done in the sense of a justification are matter within the domain of adjudication authorities and cannot properly be classified as information." This is not come under RTI.

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 D. Chattopadhyay,
Deputy Secretary (R & R),
Ministry of Power,
New Delhi 110001.