



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission

MERC/ADM/RTI/037/2020/341

Dt. 01.10.2020

To,
Shri. Nisar Ahmed Abdul Rahim Mahimi
19, Mahimi House,
Dr, Ansari Road, 2nd Rabodi,
Thane (West) 400601.

Subject : Your application dated 18.08.2020 submitted under RTI Act 2005.

The office of the Commission is in receipt of your application on 21.08.2020 under section 6 (1) RTI Act 2005 seeking information by the PIO.

Your RTI application has referred and sought and provided the information as under:

You are asked the information regarding your application of compliant letter status,

Your application dated 31.07.2020 and 10.08.2020 respectively has been received to the Office of the Commission on 16.09.2020. After that your application has been forwarded to appropriate authority for further necessary action on 22.09.2020 to MSEDCL, Bandra, Mumbai through Email. (Email Copy attached herewith for your reference).

Further, the information sought about action taken on the complaint letter cannot include within its fold answers to the question, which would be the same thing as asking reason for a justification for a particular thing. The PIO cannot expect to communicate the reason why a certain thing was done or not done in the sense of a justification are matters within the domain of adjudication authorities and cannot properly be classified as information under the RTI Act, 2005. 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”.

Also note that your application is not disposed off within the time bond as per the RTI Act 2005 due to COVID-19 lockdown.

Shri Anil Kumar Ukey, Deputy Director (Legal) 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