



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



माहितीचा
अधिकार

MERC/ADM/RTI/057/2021/0525



एक कदम स्वच्छता की ओर

Dt. 29.11.2021

To,
Shri. Virendra Kumar,
Sector No. 5, Bldg. No. 1,
D Wing, Flat No. 101,
Dream City, Boisar (E),
Thane, Pin – 401501.
Email:- viruyadav11@gmail.com

Subject : Your application dated 18.11.2021 submitted under RTI Act 2005.

Your application has been transfer from CERC vide its letter No. ADMIN-11037/1/2019-RTI CELL/CERC, Dated 24th November, 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 through email dated 25.11.2021 under section 6 (1) RTI Act 2005 seeking information by the PIO as under:

No	Information Sought	Information Provide
1	Under which rule or section if the electricity metre bill was not paid by owner for some reason the electricity department can control / undertake / occupy the appliance run on that metre.	<p>Information asking in question format. The Act does not permit raising imaginary questions and expecting the PIO to find answers for them.</p> <p>A Public Information Officer (PIO) is not expected to provide intangible such as interpretations, opinions, advices, explanations, reasons as they cannot be said to be included in the definition of information in Section 2(f) of the RTI Act, 2005.</p>

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 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.

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.

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, CPIO,
CERC, Ground Floor,
Chandralok Bldg., 36, Janpath,
New Delhi - 110001.