



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission

Order No. MERC/FAA/2018/APPEAL/06 OF 2018/281

02 October, 2018

Date of RTI Application filed: 06.08.2018
Date of Reply of PIO : 06.09.2018
Date of receipt of First Appeal: 18.09.2018
Date of Order of First Appeal: 02.10.2018

BEFORE THE APPELLATE AUTHORITY
(Under the Right to Information Act, 2005)
Maharashtra Electricity Regulatory Commission, Mumbai

Appeal No. 06 of 2018

Shantilal Patel

..... **Appellant**

Vs.

PIO, MERC, Mumbai

..... **Respondent**

In exercise of the power, conferred upon the Appellate Authority by Section 19 (6) of Right to Information Act, 2005, the Appellate Authority makes the following decision:

Facts of the Appeal

- 1) The Appellant had filed an application dated 06.08.2018, under the Right to Information Act, 2005, (hereinafter referred to as "RTI Act"). The Respondent vide letter dated 06.09.2018 responded to the Appellant's Application. The Appellant has filed this Appeal on 18.09.2018, against the said response.
- 2) Before passing an Order, the First Appellate Authority has given the Appellant an opportunity of personal hearing on 28.09.2018 by serving upon him a notice of hearing dated 19.09.2018. The Appellant and PIO were present in the hearing and made their oral submissions.
- 3) I have carefully considered the application, the response and the Appeal and find that the matter can be decided based on the material available on record.
- 4) Upon perusal of the Appellant's request for information as made through his application, I find that Appellant requested to provide a copy of such order by which this office of the Commission has given any order to Reliance Limited for accepting forms 'on- line' for new connection of Electricity.
- 5) **The Grounds of the Appeal:**

Not satisfied with the order/reply letter dated - 06.09.2018 of the PIO.

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- 6) Without prejudice to the foregoing, upon a consideration of the Appellant's request for information as contained in his application in light of his Appeal, it would appear that Appellant has sought information, which is related with the other public authority i.e. Reliance Ltd.
- 7) It has been observed from the record that, the Appellant is being aggrieved of not accepting of an application for Electricity Connection by hand / physical form and Reliance Ltd. is insisting to apply to Electricity connection only on online / application.
- 8) In view of the nature of this dispute Appellant has asked the copy of any such direction / order of the Commission. It has been observed that, Appellant has a grievance about the non accepting of Application form for new connection by Reliance Infra Ltd. this grievance can be redress by approaching to appropriate forum . Whereas, Appellant has not seek any particular document / information, hence the order passed by PIO cannot be interfered.
- 9) Therefore, the information furnished by the Respondent PIO need not to be required to interfere by this authority.
- 10) In the right of above facts and circumstances Appeal is dismissed.
- 11) In case, the appellant is not satisfied with decision, he may prefer Second Appeal under RTI Act, 2005, within 90 days from the issue of this decision before the State Information Commissioner, 13th Floor, New Administrative Building, Madam Cama Road, Opposite Mantralaya, Mumbai- 400 032.

Decision

The Appeal is dismissed accordingly.


2/10/18

(Anilkumar Ukey)
First Appellate Authority & Dy. Director (Legal)
Maharashtra Electricity Regulatory Commission

To
Shri Shantilal Patel,
7, Laxmi Gauri Chawl,
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Malad (East), Mumbai – 400 097.

Copy to:
PIO, MERC, Mumbai.


2/10/18

(Anilkumar Ukey)
First Appellate Authority & Dy. Director (Legal)
Maharashtra Electricity Regulatory Commission