



# महाराष्ट्र विद्युत नियामक आयोग

## Maharashtra Electricity Regulatory Commission

Order No. MERC/FAA/2018/APPEAL/08 OF 2018/716

13 December, 2018

Date of RTI Application filed : 31.08.2018  
Date of Reply of PIO : 29.09.2018  
Date of receipt of First Appeal : 29.10.2018  
Date of Order of First Appeal : 12.12.2018

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

### Appeal No. 08 of 2018

Shri Ravindra Desai ..... **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 31.08.2018, under the Right to Information Act, 2005, (hereinafter referred to as "**RTI Act**"). The Respondent vide letter dated 29.09.2018 responded to the Appellant's Application. The Appellant has filed this Appeal on 29.10.2018, against the said response.
- 2) Before passing an Order, the First Appellate Authority has given the Appellant an opportunity of personal hearing on 05.12.2018 by serving upon him a notice of hearing dated 15.11.2018. The Appellant was present and PIO were absent (On leave) in the hearing, Appellant made his 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 i) to provide the copy of rules and guidelines for obtaining new meter connection in MSEB and BEST, ii) to provide the copy of all government resolution/orders/circular up to 2018 for new meter connection, iii) to inform the role of Maharashtra Electricity Regulatory Commission for regulating the MSEB and BEST.

Page 1 of 2

5) **The Grounds of the Appeal:**

The Respondent PIO did not give the response and not provided any information within 30 days.

- 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. MSEB and BEST.
- 7) It has been observed from the record that, the PIO has been given response to the Appellant and sent information to the Appellant by speed post on his given address. Whereas, the envelopes return to the Office of the Commission for 'Insufficient address RTS on 01.10.2018.'
- 8) Even though, on hearing the appellant, the required document provided to the Appellant since there is no grievance and Appeal disposed off accordingly.
- 9) In the light of above facts and circumstances Appeal disposed off.
- 10) This Appeal has been disposed within 45 days, as the First Appeal Authority was out of station for Commission's court matter.
- 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, 13<sup>th</sup> Floor, New Administrative Building, Madam Cama Road, Opposite Mantralaya, Mumbai- 400 032.

**Decision**

The Appeal is disposed off accordingly.



**(Anilkumar Ukey)**

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

To  
Shri Ravindra Desai,  
At Karad,  
Dist Satara – 415 110.  
Mob.No.7498775972.

Copy to:  
PIO, MERC, Mumbai.



**(Anilkumar Ukey)**

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