



महाराष्ट्र विद्युत नियामक आयोग

Maharashtra Electricity Regulatory Commission



माहितीचा
अधिकार



Order No. MERC/FAA/2019/APPEAL/07 of 2019/1082

Date : 22th November, 2019

Date of RTI Application filed : 15.09.2019
Date of Reply of PIO : 04.10.2019
Date of receipt of First Appeal : 04.11.2019
Date of Order of First Appeal : 22.11.2019

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

Appeal No. 07 of 2019

Shri Pravin Parmar

..... **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 04.11.2019, under the Right to Information Act, 2005, (hereinafter referred to as "RTI Act"). The Respondent vide letter dated 04.10.2019 responded to the Appellant's Application. The Appellant has filed this Appeal on 04.11.2019, against the said response.
- 2) Before passing an Order, the First Appellate Authority has given the Appellant an opportunity of personal hearing on 19.11.2019 by serving upon him a notice of hearing dated 07.11.2019. The Appellant and PIO were present in the hearing.
- 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, was as follows:

Regarding Electricity usage tariffs levied by Adani Electricity (formerly as Reliance Energy Infra.) Tata Power, etc. in Mumbai and Mira Bhayander provide the following information:

- 1. Providing copies of approval/sanction/permission issued to various utility companies for levying different Tariff structure category like 0-100 units, 100-300 units, 300-500 units and above 500 units applicable to residential and commercial places.*
- 2. Besides electricity usage charge provide detailed information about other charges that are levied in the electricity bill.*
- 3. Provide information on approvals given in past Ten years for above mentioned Sr. No. 1 & Sr. No.2.*
- 4. Copies of terms and condition that these utility companies have to comply for providing electricity services to the people.*

5) **The response provided by PIO to the above queries are as follows:**

- a. Case No.200 of 2017 dated 12 September, 2018:- Adani Electricity Mumbai Limited (Distribution) (Previous Tariff Order Dt.22 August, 2013 in Case No. 9 of 2019; 26 June, 2015 in Case NO. 4 of 2015, 21 October,2016 and in Case No. 34 of 2016) .
- b. Case No. 69 of 2018 dated 12 September, 2018:- The Tata Power Company Limited (Distribution) (Previous Tariff Orders Dt.28 June,2013 in Case No. 179 of 2011, 26 June, 2015 in Case No. 18 of 2015, 21 October,2016 and in Case No. 47 of 2016).
- c. MERC (Electricity Supply Code and Other Conditions of Supply) Regulation, 2005.
- d. MERC (Standards of Performance of Distribution Licensees, Period for giving Supply and Determination of Compensation), Regulations, 2014.

The above Tariff Orders and Regulations are available in public domain on Commission website in downloadable format on www.merc.gov.in

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


PIO did not provide information.

- 7) 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 Electricity usage Tariff by Adani and Tata Power Utilities in Mumbai and Mira Bhayander.

- 8) The Appellant during the hearing submitted that even though information provided but, it is not traceable on the website of the Commission. Therefore he could not access the information.
- 9) In view of the above submission PIO directed to demonstrate the Appellant, to access the information on the website in the office of the Commission.
- 10) Appellant and PIO searched the relevant Orders of the Commission as per his Appeal. The Appellant satisfied by accessing of the website.
- 11) Finally, his grievance raised in the appeal redressed, and further nothing remains in the Appeal. Accordingly Appeal disposed off.
- 12) 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 accordingly disposed off.


22/11/19

(Anilkumar Ukey)

**First Appellate Authority & Director, Legal (I/c)
Maharashtra Electricity Regulatory Commission**

To
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22/11/19

(Anilkumar Ukey)

**First Appellate Authority & Director, Legal (I/c)
Maharashtra Electricity Regulatory Commission**